

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Michelle Howard
Certificate 281687

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on December 18, 2024. In accordance with S.C. Code Ann. § 1-23-370 (c) (2020), § 59-5-10 (2020), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of Michelle Howard, educator certificate 281687, as a result of her arrest for felony assault and battery, in violation of S.C. Code Ann. § 16-3-600(C)(1) (2004) and the misdemeanor charge of duties of driver in accident, S.C. Code Ann. § 56-5-1220 (2004).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Howard may pose a threat to the health, safety, and welfare of students, who may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Howard's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Howard of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Howard holds a South Carolina educator certificate and has over twenty-three years of educator experience. Ms. Howard is a teacher at Hilton Head Island Elementary School for the Creative Arts with the Beaufort County School District.

On or about June 21, 2024, Ms. Howard was arrested for felony assault and battery, in violation of S.C. Code Ann. § 16-3-600(C)(1) (2004) and the misdemeanor charge of duties of driver in accident, S.C. Code Ann. § 56-5-1220 (2004). It is alleged that Ms. Howard willfully drove her vehicle into an occupied and parked vehicle. It was further alleged Ms. Howard was attempting to injure an individual.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Ms. Howard may pose a threat to the health, safety, and welfare of students who may be under her instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Howard educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Howard of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2020); S.C. Code Ann. § 59-25-160 (2020). Just cause includes unprofessional conduct, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). In accordance with S.C. Code Ann. § 1-23-370 (c) (2020), “If the agency finds that the public health, safety or welfare imperatively requires emergency action and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action.” Pursuant to S.C. Code Ann. § 59-5-10 (2020) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Ms. Howard’s unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, due to her arrest for felony assault and battery, there is reason to believe Ms. Howard may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of Michelle Howard, certificate number 281687, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Howard of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

AND IT IS SO ORDERED.

South Carolina Board of Education

s/Rita Allison
Rita Allison, Chair

Columbia, South Carolina
December 18, 2024