

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Mark Wilcox
Certificate 311060

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 13, 2024. On July 17, 2023, the South Carolina Department of Education (SCDE) sent Mark Wilcox a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. The SCDE has verified Mr. Wilcox's address, the certified letter was returned unclaimed, and the letter sent via regular mail has not been returned. On August 16, 2023, the SCDE informed Mr. Wilcox via regular mail that the State Board would meet on September 12, 2023, or as soon thereafter as is feasible, to consider action against his educator certification. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Wilcox has been given fair notice of constitutional due process. He has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Wilcox's educator certificate for a period of one year, retroactively commencing on May 2, 2023, and ending on May 1, 2024.

FINDINGS OF FACT

Mr. Wilcox holds a valid South Carolina professional educator certificate. He has over three years of educator experience and has no prior record of disciplinary action with the State Board. At the time of the allegations, Mr. Wilcox was an educator in Texas.

On or about May 18, 2023, the SCDE learned that Mr. Wilcox's Texas educator certificate was suspended for a period of one year for allegations of viewing inappropriate material on school property visible to students. Mr. Wilcox voluntarily entered into a consent order with the Texas State Board for Educator Certification for a one-year suspension of his Texas educator certification, commencing on May 2, 2023.

After considering the evidence presented, the State Board voted to suspend Mr. Wilcox's South Carolina educator certificate for a period of one year, retroactively commencing on May 2, 2023, and ending on May 1, 2024.

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. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). The State Board finds that the evidence presented demonstrates that Mr. Wilcox engaged in unprofessional conduct by viewing inappropriate material on school property visible to students. The State Board further finds that just cause exists for the suspension of Mr. Wilcox's educator certificate 311060 for a period of one year, commencing on May 2, 2023, and ending on May 1, 2024.

Now, therefore, it is hereby ordered that the educator certificate of Mark Wilcox educator certificate 311060, is suspended for a period of one year, retroactively commencing on May 2, 2023, and ending on May 1, 2024. If Mr. Wilcox wishes to have the certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. Mr. Wilcox shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Wilcox's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/David C. O'Shields
David C. O'Shields, Chair

Columbia, South Carolina
February 13, 2024