

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
April L. Lowe
Certificate 268337

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on October 16, 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 April L. Lowe, educator certificate 268337, as a result of her arrest for the felony charge of unlawful conduct towards a child, S.C. Code Ann. § 63-5-70 (2008).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Lowe 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. Lowe'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. Lowe of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Lowe holds a South Carolina educator certificate and has over ten years of educator experience. At the time of her arrest, Ms. Lowe was a first-grade teacher at Ridgeland Elementary School (School) with Jasper County School District (District).

On or about October 11, 2024, Ms. Lowe was arrested on the felony charge of unlawful conduct towards a child, in violation of S.C. Code Ann. § 63-5-70 (2008). According to the arrest

warrant from the Jasper County Sheriff's Office, Ms. Lowe was charged after grabbing a six-year-old student by the hand and pulling them to the floor, then slapping their back down towards the floor, causing them to fall so that the health and safety of the victim was endangered.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Ms. Lowe 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. Lowe'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. Lowe 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. Lowe'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 the felony charge of unlawful conduct towards a child, there is reason to believe Ms. Lowe may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of April L. Lowe, certificate number 268337, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved.

April L. Lowe, Certificate 268337
Order of Summary Suspension
October 16, 2024
Page 3

The SCDE is directed to serve notice on Ms. Lowe 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/David C. O'Shields
David C. O'Shields, Chair

Columbia, South Carolina
October 16, 2024