

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Devon Michael Smalls
Certificate 276429

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on August 12, 2026. 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 Devon Michael Smalls, educator certificate 276429, as a result of his arrest on the felony charges of domestic violence of a high and aggravated nature (S.C. Code Ann. § 16-25-0065(A)), 1st degree assault & battery (S.C. Code Ann. § 16-03-0600(C)(1)), and possession of a weapon during a violent crime (S.C. Code Ann. § 16-23-490).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Smalls may pose a threat to the health, safety, and welfare of students, who may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Smalls' 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 Mr. Smalls of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Smalls holds a South Carolina educator certificate and has over twelve (12) years of educator experience. At the time of the incident, Mr. Smalls was a teacher for Charleston County School District (District).

On or about April 3, 2024, Mr. Smalls was arrested on the felony charges of domestic violence of a high and aggravated nature (S.C. Code Ann. § 16-25-0065(A)), 1st degree assault & battery (S.C. Code Ann. § 16-03-0600(C)(1)), and possession of a weapon during a violent crime (S.C. Code Ann. § 16-23-490). The District became aware of Mr. Smalls's arrest during a routine employee record check.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Smalls may pose a threat to the health, safety, and welfare of students who may be under his instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Smalls' 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 Mr. Smalls of the summary suspension, as well as the possible suspension or revocation of his 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 (2025). 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 (2025); 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 Mr. Smalls' unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, due to his arrest on the felony charges of domestic violence of a high and aggravated nature (S.C. Code Ann. § 16-25-0065(A)), 1st degree assault & battery (S.C. Code Ann. § 16-03-0600(C)(1)), and possession of a weapon during a violent crime (S.C. Code Ann. § 16-23-490), there is reason to believe Mr. Smalls

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may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of Devon Michael Smalls, certificate number 276429, 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 Mr. Smalls of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina Board of Education

s/David M. Mathis
David M. Mathis, Chair

Columbia, South Carolina
August 12, 2026