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BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Brittney Ann Whetzel,)
Educator Certificate 266024)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on April 24, 2018. In accordance with S.C. Code Ann. § 1-23-370(c) (2016), § 59-5-10 (2016), 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 Brittney Ann Whetzel, educator certificate 266024, as a result of her arrest on two felony counts of Sexual Battery with a Student, S.C. Code Ann. §16-3-755 (D) (2017). Ms. Whetzel was also charged with three misdemeanor counts of Transfer of Beer or Wine for Underage Person's Consumption, S.C. Code Ann. §61-4-90 (B) (2017).

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

FINDINGS OF FACT

Ms. Whetzel holds a professional South Carolina educator certificate and has over four years of teaching experience. Ms. Whetzel was employed by the Beaufort County School District (District) and served as an English teacher at Battery Creek High School (School). On April 12,

2018, the District placed Ms. Whetzel on administrative leave following an investigation into allegations of inappropriate interactions with students.

On or about April 16, 2018, the Beaufort County Sheriff's Office charged Ms. Whetzel with two felony counts of Sexual Battery with a Student, S.C. Code Ann. §16-3-755 (D) (2017). Ms. Whetzel was also charged with three misdemeanor counts of Transfer of Beer or Wine for Underage Person's Consumption, S.C. Code Ann. §61-4-90 (B) (2017). It is alleged Ms. Whetzel invited a coworker and two to three male students to her home. While at her residence, Ms. Whetzel allegedly provided the underage students with alcohol. During the incident, it is alleged Ms. Whetzel engaged in sexual relations with two of the students from the School. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Ms. Whetzel 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. Whetzel'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. Whetzel 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 (2016). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). In accordance with S.C. Code Ann. § 1-23-370(c) (2016), "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 (2016) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Ms. Whetzel's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for the position for which employed due to her felony arrest for Sexual Battery with a Student, S.C. Code Ann. §16-3-755 (D) (2017), there is reason to believe Ms. Whetzel may pose a threat to the health, safety,

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and welfare of students and emergency action is required. Accordingly, the educator certificate of Brittney Ann Whetzel, educator certificate 266024, 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. Whetzel of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: Sharon Wall

Sharon Wall, Ed.D., Chair

Columbia, South Carolina
April 24, 2018