

OKLAHOMA STATE BOARD OF EDUCATION
ADMINISTRATIVE COMPLAINT

STATE OF OKLAHOMA, ex. rel.)	
STATE DEPARTMENT OF EDUCATION,)	
)	
Applicant,)	
)	
vs.)	2022-06
)	
NICHOLAS GARRISON,)	
)	
Respondent.)	

**APPLICATION TO
REVOKE TEACHING CERTIFICATION**

COMES NOW, this 28th day of November, 2022, Applicant, the Oklahoma State Department of Education (the “Department”), and submits this Application to Revoke Teaching Certificate (the “Application”), requesting that Respondent, Nicholas Garrison (“Garrison”) Oklahoma teaching certificate be revoked. In support of the Application, the Department states and alleges:

STATEMENT OF FACTS

1. Garrison holds a valid Oklahoma teaching certificate (the “Certificate”), number 423056. *See* Certificate, attached as Exhibit “A”.
2. Garrison holds a standard certificate in U.S. History/Oklahoma History/Government/Economics, Grades 5-12. *Id.*
3. Garrison was most recently employed as a 8th grade U.S. History and Government teacher and an Athletic Coach at Moore Public Schools (the “District”).
4. On November 14, 2022, District officials were notified of Snapchat correspondence between Garrison and an 8th grade female student. Upon this notification, the District immediately suspended Garrison. Subsequently, after interviewing the student, the District notified the Moore

Police Department. The next morning, District officials notified the OSDE of this matter and included the photos obtained of the communications between Garrison and the 8th grade student. Garrison resigned from his employment with the District on November 15, 2022.

5. Garrison, using “coach garrison” as his Snapchat profile name, can be seen in a number of the photos and messages sent to the student which appear to have been sent across multiple days. *See* Photos of Snapchat communications, attached as Exhibit “B.”

6. In one message, Garrison states:

I knowwwww you're probably asleep or hanging out but I drank a few things and I just wanted to say damn I'm jealous I'm not 16-17 and could try to date you lol soreyyyyy

7. In one exchange, Garrison can be seen sitting with two dogs and tells the student that she could have sat with him. When the student responded by saying that Garrison was in the movie she was supposed to be in, but she did not ultimately go and did not see him, Garrison tells the student:

Ahh probably a good thing. You'd have tried to do the stretch and yawn move on me and I'd have had to fight you.

8. After sending an image of him holding a relatively newborn child and asking the student “[w]hat are y’all doing tonight,” Garrison followed-up with a message of him sitting in front of a tv under the blanket and stating:

If you guys do let me know because I will come and hangout with you and [name of another student], if not I'll just stay home. I miss you already :(can't wait to see you tomorrow.

9. In another message, Garrison tells the student:

Ohh seriously? You don't even need it tbh I'm sure it makes you look even better though And I KNOW people just say that but I actually mean it. You don't need it

10. Another message Garrison sent the student states: “What are you guys up to gorgeous?!”

11. Separately, Garrison can be seen in one message with his head on a desk, telling the student in a message: “It’s been a bummer not talking to you today....” In another, Garrison sent a message to the student asking how she was that morning and said “Can’t wait to see you tomorrow [heart eyed emoji]”. Similarly, in a separate message, Garrison can be seen sitting down and tells the student “I missed seeing you yesterday and today [sad face emoji]”.

CONCLUSIONS OF LAW

1. The Board is vested with the general authority to provide for the health and safety of schoolchildren while under the jurisdiction of school authorities. *See* 70 O.S. § 3-104(17).

2. That Title 70 O.S. § 3-104(6) provides:

The supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall...[h]ave authority in matters pertaining to the licensure and certification of persons for instructional, supervisory and administrative positions and services in the public schools of the state...and shall formulate rules governing the issuance and revocation of certificates. ...

3. The Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.*, governs the State Board’s administrative actions relating to teacher disciplinary matters. *See* 75 O.S. § 250.3(3).

4. Oklahoma law and Board rules provide that a certificate shall be revoked for a “willful violation of a rule or regulation of the State Board of Education, a willful violation of any federal or state law....or for other proper cause.” *See* 70 O.S. § 6-189(F); *see also* OAC 210:1-5-6(b).

5. Included in the administrative rules are the Standards of Performance and Conduct for Teachers at Title 210, Chapter 20, Subchapter 29. *See* OAC 210:20-29-1 through OAC 210:20-29-5.

6. The Board's rules provide that "[t]eachers are charged with the education of the youth of this State. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles." *See* OAC 210:20-29-1(b). Through their conduct, teachers must demonstrate the respect of their students, such being a responsibility that is inherent in the profession. *See* OAC 210:20-29-2.

7. A teacher shall "strive to help each student realize his or her potential as a worthy and effective member of society." *See* OAC 210:20-29-3. In fulfillment of the obligations to the student, a teacher:

- a. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
- b. Shall not intentionally expose the student to embarrassment or disparagement.
- c. Shall not use professional relationships with students for private advantage.
Id.

8. Additionally, the Board's rules, at OAC 210:20-29-4, provide:

- a. The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.
- b. In order to assure that the quality of the services of the teaching profession meets the expectations of the State and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

9. It has been held by the Oklahoma Supreme Court that “a teacher...in the public school system is regarded by the public and pupils in the light of an exemplar, whose words and actions are likely to be followed by the children coming under her care and protection.” *Vaughn v. Board of Bar Examiners for the Oklahoma Bar Association*, 1988 OK 87, 759 P.2d 1026, 1030. The teaching profession, not unlike the legal profession, imposes a code of ethics upon its members. *Id.*

10. Based upon the information and evidence presented, and the foregoing authority, proper cause exists to suspend the Teaching Certificate and certification number 423056 of Nicholas Garrison.

11. Board rules further provide that upon the filing of an application to suspend and/or revoke a certificate, the Board, at its discretion, may utilize a hearing officer to conduct the hearing and such individual shall be appointed by the Chairperson of the Board. *See* OAC 210:1-5-6(f)(1).

WHEREFORE, the Oklahoma State Department of Education requests that the State Board of Education revoke the teaching Certificate and certification number of Respondent Nicholas Garrison, pending an individual proceeding for revocation or other action, that the State Board of Education, or its designee, set a time and date for hearing on proceedings to revoke Respondent’s teaching certification and certification number, and that the teaching certificate and certification number of Respondent be revoked, effective January 17, 2023, or thereafter as determined by the Board.

Respectfully Submitted,



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