

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
and Voluntary Surrender of the)
)
Educator Certificate of)
)
Michael Riddle)
)
Certificate 204859)
_____)

RECEIVED
CONSENT ORDER OF
PERMANENT JUL 29 2011
VOLUNTARY SURRENDER
AND REVOCATION
State Dept. of Education
Office of General Counsel

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 18, 2011. On April 9, 2010, the Chair of the State Board summarily suspended the educator certificate of Michael Riddle, certificate 204859, as a result of his arrest in the Municipality of Greer, South Carolina, on March 30, 2010. Mr. Riddle was arrested and charged with twenty six counts of Sexual Exploitation of a Minor, second degree a Class E. felony. On April 20, 2010, the South Carolina Department of Education (SCDE) sent notice to Mr. Riddle of the summary suspension and his right to a hearing by regular and certified mail, return receipt requested. On April 22, 2010, Mr. Riddle received the notice as evidenced by a signed postal receipt bearing his signature. On May 5, 2010, Mr. Riddle sent a letter to SCDE requesting a hearing in this matter following the resolution of the pending criminal charges. On March 3, 2011, Mr. Riddle pled guilty to ten counts of Sexual Exploitation of a Minor, third degree, a Class E felony. The court ordered that Mr. Riddle register as a sex offender and be placed on the Central Registry of Child Abuse and Neglect. Mr. Riddle subsequently agreed to waive his right to a hearing and permanently surrender his educator certificate. Mr. Riddle has agreed to the terms and conditions of the Consent Order of Permanent Voluntary Surrender and Revocation as stated herein.

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FINDINGS OF FACT

Mr. Riddle holds a professional educator certificate and has over eight years of teaching experience. Mr. Riddle was employed by the Greenville County School District ⁶⁴¹⁰³ One (District) for the 2009-2010 school year as a science teacher at Hillcrest High School in Greenville, South

Carolina, until his resignation from employment effective April 30, 2010, following an investigation by the District into allegations of Mr. Riddle's unprofessional conduct as a result of his arrest on March 30, 2010. The District learned that a termite inspector was present at Mr. Riddle's home on March 26, 2010, and accidentally knocked over a cooler in the crawl space of Mr. Riddle's home. Pictures of children engaged in sexual acts with adults fell out of the cooler. Law enforcement subsequently obtained a search warrant and recovered the cooler and the pictures. On March 30, 2010, Mr. Riddle was arrested in Greer, South Carolina, and charged with twenty six counts of Sexual Exploitation of a Minor, second degree a Class E. felony. On April 9, 2010, in accordance with S.C. Code Ann. § 1-23-370(c) (2004) and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended Mr. Riddle's educator certificate as a result of his arrest on March 30, 2010. The Chair of the State Board found that due to the serious nature of the allegations, there was reason to believe that Mr. Riddle may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action was required.

On April 20, 2010, the SCDE sent notice to Mr. Riddle of the summary suspension and his right to a hearing by regular and certified mail, return receipt requested. On April 22, 2010, Mr. Riddle received the notice as evidenced by a signed postal receipt bearing his signature. On May 5, 2010, Mr. Riddle sent a letter to SCDE requesting a hearing in this matter following the resolution of the pending criminal charges. On March 3, 2011, Mr. Riddle pled guilty to ten counts of Sexual Exploitation of a Minor, third degree, a Class E felony. The Court sentenced Mr. Riddle to a term of ten years with the balance being suspended with probation, subject to the South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation. The court ordered that Mr. Riddle be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135 (Supp. 2010). Mr. Riddle has also registered with the South Carolina Law Enforcement Division as a sex offender.

Mr. Riddle voluntarily agrees to the permanent surrender of his educator certificate 204859 and agrees to the following conditions: (1) his educator certificate will become permanently invalid and revoked immediately upon the approval by the State Board of the

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permanent voluntary surrender; (2) he may never apply for a South Carolina educator certificate; (3) he has waived his right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review; and (4) he agrees that his surrender will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and revocation with the reasons stated as "unprofessional conduct, crime against the law of this State or the United States, immorality, and evident unfitness for position for which employed."

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 (2004); 24 S.C. Code Regs. 43-58 (Supp. 2010). Just cause includes: "Unprofessional conduct, crime against the law of this State or the United States, immorality, and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (Supp. 2010). S.C. Code Ann. § 59-25-280 (A) (2) (Supp. 2010), provides in part that the State Board permanently shall revoke a certificate without a hearing, if the holder pleads guilty to certain offenses related to obscenity, and material harmful to minors, including 16-15-410. The State Board finds that the evidence presented, which is undisputed by Mr. Riddle, supports the State Board's decision that just cause exists to accept the permanent voluntary surrender of educator certificate 204859, issued under the name of Michael Riddle, and to permanently revoke this educator certificate effective August 18, 2011. Pursuant to S.C. Code Ann. § 59-25-280 (B) (Supp. 2010), a school district may not employ an educator in any capacity whose South Carolina certificate is revoked pursuant to subsection (A) as referenced above. Mr. Riddle has waived his right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review. The permanent voluntary surrender and permanent revocation of Mr. Riddle's educator certificate 204859 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct, crime against the law of this State or the United States, immorality, and evident unfitness for position for which employed."

Michael
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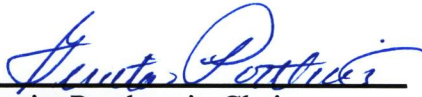
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AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Gerrita Postlewait, Chair

Columbia, South Carolina

August 18, 2011

I, Michael Riddle, S.C. Educator Certificate 204859, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; I hereby freely, knowingly and voluntarily surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this surrender shall have the same effect as a permanent revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the proposed Consent Order of Permanent Voluntary Surrender and Revocation, consisting of four pages, and understand that this Order will be presented to the South Carolina State Board of Education on August 18, 2011.


Michael Riddle

8/22/11
Date