

BEFORE THE SOUTH CAROLINA BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
or Suspension of the Teaching	)	ORDER OF REVOCATION
	)	
Certificate of Terry Jerome Frederick	)	
	)	
Certificate # 192775	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 8, 2011. On June 24, 2011, the South Carolina Department of Education (SCDE) sent notice to Terry Jerome Frederick of the possible suspension or revocation of his educator certificate by regular and certified mail, return receipt requested. On July 8, 2011, Mr. Frederick sent a letter to the SCDE requesting a hearing in this matter. On October 26, 2011, a hearing was held before the State Board hearing officer Geraldine H. Urbanic, Esquire, in Columbia, South Carolina. Appearing at the hearing were the SCDE, represented by Karla McLawhorn Hawkins, Esquire, and Terry Jerome Frederick, represented by Samantha D. Farlow-Moyd, Esquire.

On December 8, 2011, Ms. Urbanic presented her findings and recommendations to the State Board. The State Board, after careful deliberation of the recommendations and the evidence on the whole record, voted to revoke Mr. Frederick's educator certificate effective December 8, 2011.

FINDINGS OF FACT

The State Board has jurisdiction of this matter pursuant to S.C. Code Ann. § 59-25-150 (2004).

Mr. Frederick has been employed as a math teacher at Denmark-Olar Middle School from the 2010-2011 academic year until the present.

On or about December 16, 2008, a controlled delivery was made of marijuana shipped from Phoenix, Arizona to an address in Gaston, South Carolina. Two males wearing white tee shirts arrived to load the marijuana into a pickup truck. One of the males was Terry Jerome Frederick.

The total amount of the marijuana contained in the packages and the marijuana found in the back of the truck totaled 47.42 pounds, with a street value of \$47,000.00.

Mr. Frederick was arrested and charged with possession of and trafficking in marijuana. He pled guilty to possession of marijuana with intent to distribute.

As a result of an altercation in the Prince of Orange shopping center parking lot on October 13, 2010, Mr. Frederick was charged with and convicted of Assault in the 3rd degree.

The SCDE has shown that Terry Jerome Frederick engaged in unprofessional conduct, demonstrated evident unfitness for the position for which he was employed, violated the laws of this state and possessed narcotics when he was convicted of possession of marijuana with intent to distribute and, separately, Assault in the 3rd degree. The State Board further finds that “just cause” exists for the revocation of Terry Jerome Frederick’s educator certificate effective December 8, 2011.

RECOMMENDATIONS OF THE HEARING OFFICER

Having found from the evidence presented that Mr. Frederick’s conduct was unprofessional, demonstrated evident unfitness for teaching, violated the laws of this state and evidenced possession of narcotics; Ms. Urbanic recommended that the State Board revoke Mr. Frederick’s educator certificate.

CONCLUSIONS OF LAW

“The State Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004), 24 S.C. Code Regs. 43-58 (Supp. 2010). Just cause includes unprofessional conduct, evident unfitness for teaching, violation of the laws of this state and possession of narcotics. S.C. Code Ann. § 59-25-160 (2004), 24 S.C. Code Regs. S.C. 43-58 (Supp. 2010). The State Board finds that the information presented supports its determination that Mr. Frederick engaged in unprofessional conduct, demonstrated evident unfitness for the position for which he was employed, violated the laws of this state and possessed narcotics when he pled guilty to possession of marijuana with intent to distribute and, separately, was convicted of Assault in the 3rd degree. The State Board finds that “just cause” exists to support its decision to revoke Mr. Frederick’s educator certificate 192775.

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Now therefore, it is hereby ordered that the State Board revoke the educator certificate of Terry Jerome Frederick, certificate 192775, effective December 8, 2011. The revocation of Mr. Frederick's certificate shall be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse and all South Carolina school districts within 30 days of the date of this order with the reasons stated as "unprofessional conduct, evident unfitness for position for which employed, violation of the laws of this state and possession of narcotics."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Gerrita Postlewait, Chair

Columbia, South Carolina

December 8, 2011