

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
or Suspension of the)
)
Educator Certificate of)
)
Stephen C. Eubanks)
)
Certificate 078156)

**ORDER OF PERMANENT
REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 10, 2011. On October 21, 2008, Mr. Eubanks was arrested by the South Carolina Law Enforcement Division (SLED) on two counts of Lewd Act Upon a Child Under the Age of Sixteen, one count of Exposing of Private Parts in a Lewd and Lascivious Manner, two counts of Contributing to the Delinquency of a Minor and one count of Enticing Children from School. On November 23, 2008, the Aiken County Grand Jury indicted Mr. Eubanks on nineteen criminal charges.

On November 25, 2009, the South Carolina Department of Education (SCDE) sent a notice letter to Mr. Eubanks regarding the possible suspension or revocation of his South Carolina Educator Certificate and his right to a hearing by certified mail, return receipt requested, delivery restricted to addressee. On November 27, 2009, Mr. Eubanks received the notice, as evidenced by the domestic return receipt bearing his signature. Mr. Eubanks did not submit a written request to the SCDE for a hearing in this matter and is in default.

On April 19, 2010, Mr. Eubanks plead guilty to one count of Lewd Act Upon a Child Under the Age of Sixteen, three counts of Assault and Battery of a High and Aggravated Nature and two counts of Criminal Sexual Conduct with a Minor, Second Degree. Mr. Eubanks is incarcerated for a ten year term and has been ordered to register in the Sex Offender Registry.

After considering the evidence presented, the Board voted to permanently revoke Mr. Eubanks's educator certificate 078156, effective February 10, 2011.

FINDINGS OF FACT

Mr. Eubanks holds expired educator certificate 078156 and is a former school administrator with the Aiken, Georgetown, and Lancaster County School Systems. He has twenty-eight years of teaching experience.

On October 21, 2008, Mr. Eubanks was arrested by SLED on two counts of Lewd Act Upon a Child Under the Age of Sixteen, one count of Exposing of Private Parts in a Lewd and Lascivious Manner, two counts of Contributing to the Delinquency of a Minor, and one count of Enticing Children from School. On November 18, 2008, SLED charged Mr. Eubanks with additional criminal violations.

On November 23, 2009, the SCDE received indictments from the Office of the Solicitor, Second Judicial Circuit. The Grand Jurors of Aiken County at the Court of General Sessions indicted Mr. Eubanks on September 14, 2009, on five counts of Contributing to the Delinquency of a Minor, two counts of Lewd Act Upon a Child Under the Age of Sixteen, one count of Exposing Private Parts in a Lewd and Lascivious Manner, one count of Enticing Enrolled Child from Attendance in School, three counts of Assault and Battery of a High and Aggravated Nature, and seven counts of Criminal Sexual Conduct with a Minor, Second Degree.

On November 25, 2009, the SCDE sent a notice letter to Mr. Eubanks concerning the possible suspension or revocation of his South Carolina educator certificate and of his right to a hearing by certified mail, return receipt requested, delivery restricted to addressee. On November 27, 2009, Mr. Eubanks received the notice, as evidenced by the domestic return receipt bearing his signature. Mr. Eubanks did not request a hearing within the time specified in the notice and is in default.

On April 19, 2010, Mr. Eubanks plead guilty to one count of Lewd Act Upon a Child Under the Age of Sixteen, a Class D felony; three counts of Assault and Battery of a High and Aggravated Nature, a common law misdemeanor; and two counts of Criminal Sexual Conduct with a Minor, Second Degree, a Class C felony. Mr. Eubanks is incarcerated at the MacDougall Correctional Institute in Ridgeville, South Carolina, for a term of ten years and has been ordered to register in the Sex Offender Registry.

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). Just cause includes "unprofessional conduct, crime against the law of this State, and immorality," S.C. Code Ann. § 59-25-160 (Supp. 2010); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2010). The State Board finds that Mr. Eubanks engaged in unprofessional conduct, immorality, and committed crimes against the law of this State, as a result of his guilty plea on April 19, 2010, to one count of Lewd Act Upon a Child Under the Age of Sixteen, a Class D felony; three counts of Assault and Battery of a High and Aggravated Nature, a common law misdemeanor; and two counts of Criminal Sexual Conduct with a Minor, Second Degree, a Class C felony and also a violent crime, pursuant to S.C. Code Ann § 16-1-60 (Supp. 2010). Pursuant to S.C. Code Ann. § 59-25-280 (A) (1) (Supp. 2010), the State Board shall permanently revoke a certificate without a hearing, if the holder pleads guilty to a violent crime. 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 S.C. Code Ann. § 59-25-280 (A) (Supp 2010).

The State Board finds that the evidence presented supports its decision that just cause exists to permanently revoke the educator certificate of Stephen C. Eubanks, certificate 078156. The permanent revocation of Mr. Eubanks's educator certificate 078156 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, immorality, and crimes against the law of this State."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Geritta Postlewait, Chair

Columbia, South Carolina
February 10, 2011