

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	ORDER OF PERMANENT
or Suspension of the Educator	)	
	)	REVOCATION
Certificate of Samuel R. Worley Jr.,	)	
	)	
Certificate 138608	)	

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on May 12, 2011. On June 11, 2009, Mr. Worley was arrested in Union County, South Carolina and charged with Sexual Exploitation of a Minor, second degree. On June 17, 2009, the State Board summarily suspended Mr. Worley's educator certificate. On February 3, 2011, Mr. Worley plead guilty to two counts of Sexual Exploitation of a Minor, third degree and was sentenced to ten years in prison. The court also ordered that Mr. Worley must register as a sex offender.

On March 9, 2011, the South Carolina Department of Education (SCDE) sent a notice letter to Mr. Worley regarding the possible suspension or revocation of his South Carolina Educator Certificate and his right to a hearing at Kirkland Correctional Institution. On March 17, 2011, Mr. Worley was personally served with the notice, as evidenced by the proof of service from Kirkland Correctional Institution. Mr. Worley did not submit a written request to the SCDE for a hearing in this matter and is in default.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Worley's educator certificate 138608, effective May 12, 2011.

FINDINGS OF FACT

Mr. Worley holds a professional South Carolina educator certificate and has over twenty-four years of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Worley had been employed by the Union County School District (District) since August 1986. The District employed Mr. Worley as the music teacher at Monarch Elementary School for the 2008-2009 school year. On June 22, 2009, the District Board of Trustees suspended Mr. Worley without pay. On July 8, 2009, Mr. Worley resigned from employment with the District.

On June 11, 2009, Mr. Worley was arrested in Union County and charged with Sexual Exploitation of a Minor, second degree. On June 17, 2009, the State Board summarily suspended Mr. Worley's educator certificate. The Union County Grand Jury indicted Mr. Worley on two counts of Sexual Exploitation of a Minor, third degree, after finding that Mr. Worley had downloaded and disseminated sexually explicit materials of minors from a computer at his home.

On February 3, 2011, Mr. Worley pled guilty to two counts of Sexual Exploitation of a Minor, third degree and was sentenced to ten years in prison. The court also ordered that Mr. Worley register as a sex offender.

On March 9, 2011, the SCDE sent a notice letter to Mr. Worley regarding the possible suspension or revocation of his South Carolina educator certificate and his right to a hearing through the Kirkland Correctional Institution. On March 17, 2011, Mr. Worley was personally served with the notice, as evidenced by the proof of service from Kirkland Correctional Institution. Mr. Worley did not submit a written request to the SCDE for a hearing in this matter and is in default.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Worley's educator certificate 138608, effective May 12, 2011.

CONCLUSIONS OF LAW

"The State Board 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, immorality, and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2010). The State Board finds that Mr. Worley engaged in unprofessional conduct, crime against the law of this state, immorality, and demonstrated evident unfitness for position for which employed, as a result of his guilty plea on February 3, 2011, to two counts of Sexual Exploitation of a Minor, third degree. Sexual Exploitation of a Minor, third degree, is classified as a Class F felony and is an offense related to obscenity and material harmful to minors. Pursuant to S.C. Code Ann. § 59-25-280 (A) (2) (Supp. 2010), the State Board shall permanently revoke a certificate without a hearing if the holder of the certificate pleads guilty to certain offenses related to obscenity and materials harmful to minors, including § 16-15-410 (Supp. 2010), Sexual Exploitation of a Minor, third degree. 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 by the SCDE supports its decision that just cause exists to permanently revoke the educator certificate of Samuel R. Worley, Jr., certificate 138608. The permanent revocation of Mr. Worley's educator certificate 138608 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, crimes against the law of this State and demonstrated unfitness for position for which employed."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Geritta Postlewait, Chair

Columbia, South Carolina
May 12, 2011