

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Darin Everett Pearson)
)
Certificate 233825)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

On April 2, 2013, the South Carolina Department of Education (SCDE) sent notice via certified mail, return receipt, restricted delivery and first class mail to Mr. Pearson of the summary suspension of his educator certificate and notice that the State Board would meet to make a determination regarding the possible suspension or revocation of his educator certificate on the statutory grounds of unprofessional conduct, immorality, conduct involving moral turpitude, and evident unfitness for position for which employed, pursuant to S.C. Code Ann. Section 59-25-160 (2004) and 24 S.C. Code Regs. 43-58 (2011). The notice informed Mr. Pearson of his right to a hearing. On April 7, 2013, Mr. Pearson received the notice as evidenced by a postal receipt bearing his signature. Mr. Pearson did not request a hearing within the time period specified in the notice and is in default.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Pearson's educator certificate.

FINDINGS OF FACT

Mr. Pearson holds a professional South Carolina educator certificate and has over ten years of teaching experience. Mr. Pearson had been employed by the York County School District Three (District) since August 2002 and served as the Assistant Principal at Sullivan Middle School (School) since July 2007. The District placed Mr. Pearson on administrative leave on March 15, 2013, following Mr. Pearson's arrest by the Charlotte-Mecklenburg Police Department on three felony counts of sexual exploitation of a child following an investigation of Mr. Pearson's involvement in having possession of

photographs depicting child pornography and several pornographic movies depicting minors engaging in sexual acts on his personal electronic devices.

On March 25, 2013, the District suspended Mr. Pearson's employment after being informed by law enforcement that Mr. Pearson had admittedly sent numerous text messages from his cell phone to a third party that contained extremely outrageous, vulgar, and sexually explicit content that made references to students at the School. Mr. Pearson also sent photographs of School students from his personal cell phone. In a letter dated March 25, 2013, the District Superintendent advised Mr. Pearson that he was recommending to the District Board of Trustees that Mr. Pearson's employment be terminated. The District Superintendent informed Mr. Pearson that his conduct was totally unacceptable and rendered him unfit to serve as an employee of the District, which justified Mr. Pearson's dismissal pursuant to S.C. Code Ann. § 59-25-430 (2004). Mr. Pearson resigned from the District, effective March 26, 2013.

On April 2, 2013, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004) and State Board Rule of Governance, the Chair of the State Board summarily suspended Mr. Pearson's educator certificate 212157, as a result his arrest and being charged with three counts of sexual exploitation of a child on March 15, 2013. On April 2, 2013, the South Carolina Department of Education (SCDE) sent notice via certified mail, return receipt, restricted delivery and first class mail to Mr. Pearson of the summary suspension of his educator certificate and notice that the State Board would meet to make a determination regarding the possible suspension or revocation of his educator certificate on the statutory grounds of unprofessional conduct, immorality, conduct involving moral turpitude, and evident unfitness for position for which employed, pursuant to S.C. Code Ann. Section 59-25-160 (2004) and 24 S.C. Code Regs. 43-58 (2011). The notice informed Mr. Pearson of his right to a hearing. On April 7, 2013, Mr. Pearson received the notice as evidenced by a postal receipt bearing his signature. Mr. Pearson did not request a hearing within the time period specified in the notice and is in default.

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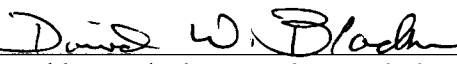
CONCLUSIONS OF LAW

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004), and 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 (2011). Just cause includes, inter alia, unprofessional conduct, immorality, conduct involving moral turpitude, and evident unfitness for position for which employed. S. C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Pearson engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and exhibited evident unfitness for position for which employed resulting from his admittedly sending numerous text messages from his cell phone to a third party that contained extremely outrageous, vulgar and sexually explicit content making references to students at the School as well as sending photographs of School students from his personal cell phone. Additionally, Mr. Pearson's personal electronic equipment contained child pornography. This evidence presented supports the State Board's decision to permanently revoke the educator certificate of Darin Everett Pearson, certificate 212157, effective June 12, 2013.

Now, therefore, it is hereby ordered that the educator certificate of Darin Everett Pearson, certificate 212157, is hereby permanently revoked. The permanent revocation of Mr. Pearson's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
David W. Blackmon, Ph.D., Chair