

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
David Lawrence Linderman,)
Certificate 233086)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 13, 2013. On October 11, 2013, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended the educator certificate of David Lawrence Linderman, certificate 233086, as a result of allegations that he had an inappropriate relationship with a female student in Greenville, South Carolina.

On October 14, 2013, the South Carolina Department of Education (SCDE) sent notice to Mr. Linderman via regular and certified mail, restricted delivery, of the summary suspension and his right to a hearing in this matter. The notice also informed him of the possible suspension or revocation of his educator certificate. On October 15, 2013, the Beaufort County Sheriff's Department personally served Mr. Linderman with the Order of Summary Suspension and notice letter. On October 19, 2013, Mr. Linderman received the certified mail as evidenced by a signed postal receipt bearing his signature. Mr. Linderman did not request a hearing in this matter and is in default.

FINDINGS OF FACT

Mr. Linderman holds a professional South Carolina educator certificate and has seven years of teaching experience. Mr. Linderman was previously employed by the Greenville County School District (District) from August 2006 until his resignation dated May 11, 2013, which was effective June 30, 2013. Mr. Linderman taught math at Wade Hampton High School (School) from August 2006 until June 2012. During the 2012-2013 school year, the District employed Mr. Linderman as an Administrative Assistant at the School. Mr. Linderman also served as the girl's tennis, basketball, and volleyball coach at various times between 2006 and 2011.

The Beaufort County School District employed Mr. Linderman as Math teacher at Hilton Head High School from August 12, 2013, until his resignation on October 14, 2013.

In October 2012, a custodial employee at the School reported an incident on a teacher work day where he observed Mr. Linderman accompany a female student into a restroom near the football stadium. Mr. Linderman was confronted by the principal about the incident. The District investigated the matter and concluded that Mr. Linderman used "extremely poor judgment." The principal disciplined him with a written reprimand instructing Mr. Linderman that he was not to call, text, instant message students or otherwise use personal electronic devices to communicate with students and that he not use District e-mail and District phone service for future student communications. The District also informed him that meeting with students should always take place in recognized meeting areas within the school. Mr. Linderman signed and acknowledged the written reprimand on December 11, 2012.

On May 10, 2013, the District office received an anonymous phone call informing the District that Mr. Linderman was having an inappropriate relationship with a female student. The anonymous caller, however, identified a different student than the one involved in the October 2012 incident. The school principal confronted Mr. Linderman about the anonymous call and Mr. Linderman denied the allegations. On May 11, 2013, Mr. Linderman submitted his resignation to the District.

On October 1, 2013, the District reported to the SCDE that a report had been made that the student who was involved in the October 2012 incident had been seen with Mr. Linderman on numerous occasions at a local gym during the summer months. The parent of the student provided the District with cell phone records indicating that from January 2013 until mid-September 2013, her daughter and Mr. Linderman communicated with each other on an almost daily basis ranging from one to twenty-nine times a day. Mr. Linderman engaged in this conduct after he had received a written reprimand from the principal prohibiting these types of communication with students.

On October 7, 2013, the SCDE interviewed the student involved in the October 2012 incident, regarding allegations of an inappropriate relationship between the student and Mr. Linderman. According to the student, she met Mr. Linderman during her junior year when he taught her math. She stated that they spent a significant amount of time together both during and outside of school and began to communicate via email and cell phone. The student initially regarded Mr. Linderman as her mentor, but said the relationship developed and the two became intimate while she was a student at the School. According to the student, beginning in November 2012, their relationship became sexual and they engaged in sexual relations on many occasions. The student stated that Mr. Linderman provided alcohol to her when they spent the night in a hotel.

On October 16, 2013, the SCDE interviewed another student who had been a student of Mr. Linderman's at the District. The student stated that Mr. Linderman made inappropriate comments to her and that some of these comments were of a sexual nature. He told the student that he dreamed that he had sex with her and told her she looked like a sexy teacher when her hair was pulled up in a bun. Mr. Linderman offered to give the student a video game accessory, but the student declined the gift. He also invited the student and her friend to meet him at a restaurant. The student and her friend did not accept Mr. Linderman's invitation. When the student was struggling in Math class, Mr. Linderman told her that she could receive extra credit by filming the girls' basketball team games, at both home and away games. Mr. Linderman had the student sit next to him on the bus while the team was traveling to away games. The student felt very uncomfortable in the presence of Mr. Linderman and felt that his comments were inappropriate.

On October 11, 2013, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended Mr. Linderman's educator certificate 233086, as a result of allegations that he had an inappropriate relationship with a female student in Greenville, South Carolina. The Chair of the State Board found that there was reason to believe that Mr. Linderman may pose a threat to the health, safety and welfare of students and that emergency action was required.

On October 14, 2013, the SCDE sent notice to Mr. Linderman via regular and certified mail, restricted delivery, of the summary suspension and his right to a hearing in this matter. The notice also informed him of the possible suspension or revocation of his educator certificate. Mr. Linderman resigned from the Beaufort County School District on October 14, 2013.

On October 15, 2013, the Beaufort County Sheriff's Department personally served Mr. Linderman with the Order of Summary Suspension and notice letter. On October 19, 2013, Mr. Linderman received the certified mail as evidenced by a signed postal receipt bearing his signature. Mr. Linderman did not request a hearing in this matter and is in default.

CONCLUSIONS OF LAW

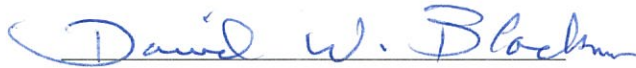
"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2011). The State Board finds that as a result of his inappropriate relationship with a female student and his inappropriate comments and behavior with another female student, Mr. Linderman has engaged in

unprofessional conduct, immorality, conduct involving moral turpitude, and demonstrated evident unfitness for position for which employed.

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 David Lawrence Linderman, certificate 233086. The permanent revocation of Mr. Linderman's educator certificate 233086 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

Columbia, South Carolina
November 13, 2013