

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Erickson L. Bynum,)
Certificate 227564)
_____)

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on June 1, 2016. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of Erickson L. Bynum, certificate 227564, as a result of his arrest on or about May 18, 2016, in Greenville County, South Carolina, for the charges of Assault and Battery, 2nd degree, (2 counts), pursuant to S.C. Code Ann. §16-03-600(D)(1) (2015), and one count of Sexual Battery With a Student, 16 or 17 years of age, no aggravated force or coercion, pursuant to S.C. Code Ann. §16-03-755(B) (2015). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Bynum may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Bynum's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Bynum of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Bynum holds a professional South Carolina educator certificate and has ten years of teaching experience. Mr. Bynum has been employed by the Greenville County School District (District) since 2006. He was employed as an English teacher at Southside High School (School), where he also served as the Speech and Debate coach. Mr. Bynum was placed on

administrative leave on or about May 3, 2016, following allegations that he had engaged in inappropriate behavior towards a student. Mr. Bynum denied the allegations.

Mr. Bynum was arrested on or about May 18, 2016, in Greenville County, South Carolina, and charged with two counts of Assault and Battery, 2nd degree, pursuant to S.C. Code Ann. §16-03-600(D) (1) (2015), and one count Sexual Battery With a Student, 16 or 17 years of age, no aggravated force or coercion, pursuant to S.C. Code Ann. §16-03-755(B) (2015). It is alleged that Mr. Bynum engaged in a sexual relationship with a sixteen year old male student, on school property and fondled two other male students age seventeen, at other locations. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Bynum may pose a threat to the health, safety and welfare of students that may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Bynum's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Bynum of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

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, crime against the law of this State, 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). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann § 59-5-10 (2004) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Bynum's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and his arrest on the misdemeanor charges of Assault and Battery, 2nd degree (2 counts) and the felony charge of Sexual Battery With a Student, 16 or 17 years of age, there is reason to believe that Mr. Bynum may pose a threat to the health, safety and welfare of students

and that emergency action is required. Accordingly, the educator certificate of Erickson L. Bynum, certificate 227564, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Bynum of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Michael R. Brennan, Chair

Columbia, South Carolina
June 1, 2016