

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
of the Educator Certificate of	)	ORDER OF
	)	PERMANENT REVOCATION
Daniel Brown,	)	
	)	
Certificate 246304	)	
_____	)	

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on May 8, 2018. On or about September 26, 2017, Daniel Brown was arrested and charged with ten counts of Third Degree Sexual Exploitation of a Minor, S.C. Code Ann. §16-15-410 (Rev. 2015). On October 4, 2017, the Chair of the State Board summarily suspended Mr. Brown's educator certificate. On October 4, 2017, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Mr. Brown regarding the possible suspension or revocation of his South Carolina Educator Certificate. Mr. Brown received this notice on October 10, 2017, as evidenced by the signed postal receipt. Mr. Brown has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented, the State Board voted to permanently revoke Mr. Brown's educator certificate 246304, effective May 8, 2018.

FINDINGS OF FACT

Mr. Brown holds a suspended professional South Carolina educator certificate and has thirteen years of teaching experience. Mr. Brown was employed by the Greenville County School District (District) and served most recently as an instructional technology specialist at Wade Hampton High School (School). He resigned from the District on September 20, 2017.

On or about September 26, 2017, Mr. Brown was arrested and charged with ten counts of Third Degree Sexual Exploitation of a Minor, S.C. Code Ann. §16-15-410 (Rev. 2015). Mr. Brown was found to be in possession of child pornography images after investigators with the Attorney General's office received a tip from the National Center for Missing and Exploited Children. In accordance with S.C. Code Ann. § 1-23-370(C) (2016) and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend Mr. Brown's educator certificate as a result of his arrest. On October 4, 2017, the Chair of the State Board summarily suspended Mr. Brown's educator certificate.

On April 9, 2018, Mr. Brown pled guilty to five counts of Third Degree Sexual Exploitation of a Minor, S.C. Code Ann. §16-15-410 (Rev. 2015). The indictments for these five charges note that Mr. Brown had five separate digital images of a minor engaging in sexual activity. These images were kept at Mr. Brown's residence and Mr. Brown knew the character or content of the material. Pursuant to S.C. Code Ann. §59-25-280(A)(2) (2017), sexual exploitation of a minor is an offense for which the State Board shall permanently revoke an educator certificate.

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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 (2016). Just cause includes "unprofessional conduct, conduct involving moral turpitude, crime against the law of this State, immorality, and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). The State Board finds that Mr. Brown engaged in unprofessional conduct, conduct involving moral turpitude, immorality, committed crimes against the laws of this state, and demonstrated evident unfitness for the position for which employed, as a result of his guilty pleas on five counts of Third Degree Sexual Exploitation of a Minor, S.C. Code Ann. §16-15-410 (Rev. 2015). This charge is listed in S.C. Code Ann. §59-25-280(A)(2) (2017) as a criminal offense for which the State Board shall permanently revoke an educator's certification.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 246304 issued in the name of Daniel Brown. The permanent revocation of Mr. Brown's educator certificate 246304 shall be reported

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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: Sharon Wall

Sharon Wall, EdD, Chair

Columbia, South Carolina
May 8, 2018