

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Darnell Pickard
Certificate 247533

ORDER OF REVOCATION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on March 10, 2020. On January 21, 2019 and February 1, 2019 the South Carolina Department of Education (SCDE) sent notice letters to Mr. Pickard regarding the possible suspension or revocation of his South Carolina educator certificate. Mr. Pickard timely requested a hearing and such was held on January 29, 2020. This matter is properly before the State Board pursuant to S.C. Code. Ann. §59-25-150 (2017), and referred to a hearing officer pursuant to S.C. Code. Ann. §59-5-70 (2004). After considering the evidence presented, the State Board voted to revoke Darnell Pickard's educator certificate 247533, effective March 10, 2020.

FINDINGS OF FACT

This is a disciplinary matter involving unprofessional conduct. Darnell Pickard holds a valid South Carolina professional educator certificate and has over six (6) years of educator experience. Darnell Pickard has no prior history of disciplinary action with the State Board. On May 17, 2018, the Richland One School District (District) reported Darnell Pickard to the SCDE for allegations of inappropriate conduct with a student, including sharing naked pictures of himself and engaging in inappropriate texting with a student.

In testimony at the hearing, the hearing officer found there to be substantial evidence that Mr. Pickard: (1) knowingly sent a nude photo of himself to a student, (2) sent inappropriate messages of a lewd nature via Facebook Messenger to two different students, and (3) gave his personal phone number to a student with instructions to call or text him. Additionally, the hearing officer found there to be substantial evidence that Mr. Pickard used his school computers to (1) access inappropriate and pornographic material and (2) use social networking sites for non-educational purposes. The hearing officer concluded that these actions violated various District and School policies and that Mr. Pickard's conduct while employed at the District constituted unprofessional conduct. Based on the "severity of the findings on these numerous allegations," the hearing officer recommended that the State Board of Education revoke Mr. Pickard's

educator certificate. The hearing officer found that Mr. Pickard's misconduct bears on the safety, health, and welfare of students.

After considering the evidence presented, the State Board voted to revoke Darnell Pickard's educator certificate 247533, effective March 10, 2020.

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; 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 evidence presented supports a conclusion that Mr. Pickard engaged in unprofessional conduct as a result of sending sexually explicit photographs and messages to multiple female students, providing a female student with his personal cell phone number and instructing her to text or call him, and using District computers to access inappropriate and pornographic content. Accordingly, the evidence presented supports the State Board's determination that just cause exists to revoke the educator certificate of Darnell Pickard, Educator Certificate 247533, effective March 10, 2020.

Mr. Pickard has the right to apply for certification after three years. Mr. Pickard shall, pursuant to State Board Rule BBCDB, be subject to a character and fitness review before the State Board with employment information during the period of certificate surrender; community service records; letters of support from a current or prospective school district employer, if applicable; letters of support from community leaders; and SLED and FBI background checks. Mr. Pickard shall also pay all applicable fees for certification, if any. The revocation of Mr. Pickard'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: _____

Michael Brennan, Chair