

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Richard Tippin Lambert Jr.)
)
Certificate 108721)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 9, 2011. On September 10, 2010, the South Carolina Department of Education (SCDE) sent Richard Tippin Lambert Jr. a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 108721, for unprofessional conduct, by regular and certified mail, return receipt, restricted delivery. On September 23, 2010, Mr. Lambert received the notice as evidenced by a signed postal receipt bearing his signature. Mr. Lambert did not request a hearing within the time specified in the notice and is now in default. After considering the evidence presented, the State Board voted to permanently revoke Mr. Lambert's educator certificate 108721, effective June 9, 2011.

FINDINGS OF FACT

Mr. Lambert holds a professional South Carolina educator certificate and has over thirty-three years of teaching experience. He had been employed by the Greenville County School District (District) as a special education LD resource teacher at Beck Academy from August 24, 2007, until his resignation, effective November 17, 2008, following an investigation concerning pending criminal charges. On April 2, 2008, prior to the criminal charges, the District placed Mr. Lambert on an improvement plan for improvement in the areas of professionalism, instructional planning and learning environment. The District reported that Mr. Lambert had displayed his frustrations in an aggressive manner in the workplace and demonstrated a propensity for violent behavior. On October 7, 2008, an arrest warrant was issued for Mr. Lambert for "Malicious Injury

to Animals and other Personal Property” pursuant to S.C. Code Ann. § 16-11-510 (B) (3) (2003), based on allegations that Mr. Lambert destroyed the mailbox of a witness in a case pending against Mr. Lambert. On October 8, 2008, an arrest warrant was issued for Mr. Lambert for “Intimidation of Court Officials, Jurors, or Witnesses” pursuant to S.C. Code Ann. § 16-9-340 (2003) based on allegations that Mr. Lambert attempted to intimidate a witness in a pending Driving Under the Influence case against Mr. Lambert by going to the residence of a witness and damaging personal property of the witness. Mr. Lambert was also charged on October 7, 2008, with “Opposing or Resisting Law Enforcement Officer Serving Process; Assaulting Officer Engaged in Serving Process” pursuant to S.C. Code Ann. § 16-9-320 (2003) based on allegations that Mr. Lambert assaulted a police officer while resisting an arrest by swinging and striking the police officer in Fountain Inn, South Carolina. In total, Mr. Lambert was charged with two counts of malicious injury to personal property, two counts of resisting arrest and assaulting police officers, and one count of intimidation of a witness.

On September 2, 2009, Mr. Lambert pled guilty to two counts of Obstruction of the Mail pursuant to 18 USC 1701, a federal misdemeanor offense. The United States District Court sentenced Mr. Lambert to two years of probation and restitution in the amount of \$500.00.

On March 29, 2010, Mr. Lambert pled guilty to “Threatening Life, Person or Family of Public Official or Public Employee; Punishment” pursuant to S.C. Code Ann. §16-3-1040 (2003). The Court suspended Mr. Lambert’s sentence to two years of probation and ordered that Mr. Lambert may not come within ten miles of the victim or his family without the express permission of the probation officer. The Court also ordered that Mr. Lambert participate in mental health counseling and pay court costs.

On September 10, 2010, the SCDE sent Mr. Lambert a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 108721, by regular and certified mail, return receipt, restricted delivery. On September 23, 2010, Mr. Lambert received the notice as evidenced by a signed postal receipt bearing his signature. Mr. Lambert did not request a hearing within the time specified in the notice and is now in default.

CONCLUSIONS OF LAW

"The State Board of Education 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). Just cause includes unprofessional conduct, crime against the laws of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs 43-58 (Supp. 2010). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Lambert engaged in unprofessional conduct and committed crimes against the laws of this State and the United States as a result of his guilty pleas to Threatening Life, Person or Family of Public Official or Public Employee and Obstruction of the Mail (two counts). The State Board finds that Mr. Lambert engaged in unprofessional conduct by his aggressive behavior in the workplace and that his conduct demonstrates evident unfitness for position for which employed. The State Board finds that the evidence presented supports its decision to permanently revoke Mr. Lambert's educator certificate 108721.

Now, therefore, it is hereby ordered that the educator certificate of Richard T. Lambert, Jr., certificate 108721, is hereby permanently revoked. The permanent revocation of Mr. Lambert'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 with the reason stated as "unprofessional conduct, crimes against the law of this State and the United States and evident unfitness for position for which employed".

AND IT IS SO ORDERED.

South Carolina State Board of Education



Gerrita Postlewait, Chair

Columbia, South Carolina
June 9, 2011