

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
and Voluntary Surrender of the)
)
Educator Certificate of)
)
Mark Anthony Soza)
)
Certificate 184654)

**CONSENT ORDER OF
PERMANENT
VOLUNTARY SURRENDER
AND REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 11, 2012. On March 1, 2012, the Chair of the South Carolina State Board of Education summarily suspended the educator certificate of Mark Anthony Soza, as a result of his arrest on or about February 27, 2012, in Spartanburg County, South Carolina, and being charged with one count of a felony offense, Possession of Child Pornography, 18 U.S.C. § 225 and 2252A(a)(5)(B)(2012). On March 1, 2012, the South Carolina Department of Education (SCDE) sent notice to Mr. Soza of the summary suspension and the possible suspension or revocation of his educator certificate by regular and certified mail, return receipt requested. Mr. Soza received the notice on March 6, 2012, as evidenced by a postal receipt bearing his signature. Mr. Soza contacted the SCDE and agreed to waive his right to a hearing and to permanently surrender his educator certificate. Mr. Soza has agreed to the terms and conditions of this Consent Order of Permanent Voluntary Surrender and Revocation.

Mark
Anthony
Soza
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Date

FINDINGS OF FACT

Mr. Soza holds a professional educator certificate and has over eight years of teaching experience. Mr. Soza had been employed by the Spartanburg County School District Four (District) as a teacher, from 2003 until he resigned on February 22, 2012, following the District's receipt of allegations that Mr. Soza had participated in the possession of child pornography. On or about February 27, 2012, Mr. Soza was arrested in Spartanburg County, South Carolina and was charged with one count of Possession of Child Pornography, pursuant to 18 U.S.C. § 2252A(a)(5)(B)(2012).

On March 1, 2012, in accordance with S.C. Code Ann § 1-23-370(c)(2004), § 59-5-10 (2001) and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended the educator certificate of Mark Anthony Soza, as a result of his arrest on or about February 27, 2012, in Spartanburg County, South Carolina, and being

charged with one count of a felony offense, Possession of Child Pornography, 18 U.S.C. § 225 and 2252A(a)(5)(B)(2012). On March 1, 2012, the SCDE sent notice to Mr. Soza of the summary suspension and the possible suspension or revocation of his educator certificate by regular and certified mail, return receipt requested. Mr. Soza received the notice on March 6, 2012, as evidenced by a postal receipt bearing his signature.

Mr. Soza contacted the SCDE and agreed to permanently surrender his educator certificate. Mr. Soza has agreed to the terms and conditions of this Consent Order of Permanent Voluntary Surrender and Revocation. This permanent voluntary surrender will result in the revocation of his educator certificate and shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts.

Mr. ^{Z. Mark} Soza voluntarily agrees to the permanent surrender of his educator certificate 184654 and agrees to the following conditions: (1) his educator certificate will become permanently invalid and revoked immediately upon the approval by the State Board of the consent order, (2) he may never apply for a South Carolina educator certificate; (3) he has waived his right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review; and (4) he agrees that his surrender will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and revocation with the reasons stated as "unprofessional conduct, crime against the law of this State or the United States, immorality, and evident unfitness for position for which employed."

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); 24 S.C. Code Regs. 43-58 (2011). Just cause includes: "Unprofessional conduct, crime against the law of this State or the United States, immorality, and evident unfitness for position for which employed." S.C. Code Ann. §59-25-160 (2004); 24 S.C. Code Regs. 43-58 (2011). The State Board finds that the evidence presented, which is undisputed by Mr. Soza, supports the State Board's decision that just cause exists to accept the permanent voluntary surrender of educator certificate 184654, issued under the name of Mark Anthony Soza, and to permanently revoke this educator certificate effective April 11, 2012. As a condition of this consent order, Mr. Soza agrees that he shall never apply for an educator certificate in the state of South Carolina. Mr. Soza has waived his right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review. The permanent voluntary surrender and permanent revocation of

Mark
Anthony
Soza
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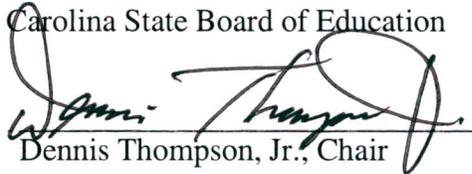
3/31/12
Date

Mr. Anthony Soza's educator certificate 184654 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct, crime against the law of this State or the United States, immorality, and evident unfitness for position for which employed."

AND IT IS SO ORDERED.

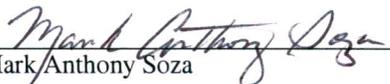
South Carolina State Board of Education

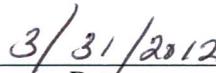
By:


Dennis Thompson, Jr., Chair

Columbia, South Carolina
April 11, 2012

I, Mark Anthony Soza, S.C. Educator Certificate 184654, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; I hereby freely, knowingly and voluntarily surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this surrender shall have the same effect as a permanent revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the proposed Consent Order of Permanent Voluntary Surrender and Revocation, consisting of three pages, and understand that this Order will be presented as signed to the South Carolina State Board of Education on April 11, 2012.


Mark Anthony Soza


Date