

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
of the Educator Certificate of	)	ORDER OF
	)	
Eric Michael Hartley,	)	PERMANENT REVOCATION
	)	
Certificate 278206	)	
_____	)	

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on June 11, 2019. On March 6, 2019, the Chair of the State Board summarily suspended Mr. Hartley's South Carolina educator certificate. On March 6 2019, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Mr. Hartley regarding the possible suspension or revocation of his South Carolina educator certificate. On May 3, 2019, the SCDE utilized the United States Marshals Service to provide notice to Mr. Hartley. Mr. Hartley signed the postal receipt, has not requested a hearing in this matter, and is now in default. After considering the evidence presented, the State Board voted to permanently revoke Mr. Hartley's educator certificate 278206, effective June 11, 2019.

FINDINGS OF FACT

Mr. Hartley holds a suspended South Carolina educator certificate and has over three years of teaching experience. Mr. Hartley was employed by York County School District Four (District) at the time of his arrest. On February 28, 2019, Mr. Hartley resigned from the District.

Mr. Hartley's arrest was the result of a law enforcement investigation that began in Virginia. A Virginia resident was found to be in contact with Mr. Hartley, who was serving as a teacher in South Carolina at the time. It was alleged Mr. Hartley utilized the internet and a social media application to exchange images of child pornography. He was subsequently arrested on a federal felony charges of conspiracy to distribute child pornography, 18 U.S.C. § 2252(a)(2) and (b)(1). In accordance with S.C. Code Ann. § 1-23-370(C) (2017) and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend Mr. Hartley's educator certificate as a result of his arrest. On March 6, 2019, the Chair of the State Board summarily suspended Mr. Hartley's educator certificate.

Mr. Hartley's criminal charges are still pending. Mr. Hartley has not responded to the notice letters from the SCDE and has not requested a hearing in this matter. The SCDE has considered

evidence accessible through Public Access to Court Electronic Records (PACER). After considering the evidence presented, the State Board voted to permanently revoke Mr. Hartley's educator certificate 278206, effective June 11, 2019.

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, 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. Hartley engaged in unprofessional conduct, conduct involving moral turpitude, immorality, and evident unfitness for position for which employed, due to the allegations of conspiracy to distribute child pornography.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 278206, issued in the name of Eric Michael Hartley, effective June 11, 2019. The permanent revocation of Mr. Hartley's educator certificate 278206 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: s/ Del-Gratia Jones
Del-Gratia Jones, Chair

Columbia, South Carolina
June 11, 2019