

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Surrender of the Educator Certificate)
of Christopher Mattison Smith)
Certificate 252233)
_____)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 12, 2015. On December 17, 2014, the Chair of the State Board summarily suspended the educator certificate of Christopher Mattison Smith, certificate 252233, as a result of his being arrested on December 12, 2014, in Greenville County, South Carolina, and being charged with five counts of Sexual Exploitation of a Minor, second degree, in accordance with S.C. Code Ann. § 16-15-405 (Supp. 2014). The South Carolina Department of Education (SCDE) sent notice of the summary suspension to Mr. Smith on December 17, 2014. On December 20, 2014, Mr. Smith received the notice as evidenced by a signed postal receipt bearing his signature. On December 31, 2014, Mr. Smith's attorney requested a hearing in this matter. Prior to the scheduling of a hearing, Mr. Smith's attorney informed the SCDE that Mr. Smith desired to waive his right to a hearing and to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 252233, effective August 12, 2015.

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| Christopher M. Smith 252233  Initial Here <u>7/22/15</u> Date |
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FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (Rev. 2004) and S.C. Code Ann. § 59-25-160 (Rev. 2004)

Mr. Smith holds a professional South Carolina educator certificate and has three years of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Smith had been employed by the Greenville County School District (District) as a technology teacher at Ralph Chandler Middle School (School) since August 2011. Mr. Smith resigned from the District on December 11, 2014. On December 12, 2014, Mr. Smith was arrested in Greenville County, South Carolina, and charged with five counts of Sexual exploitation of a Minor, second degree, in accordance with S.C. Code Ann. § 16-15-405

(Supp. 2014, following an investigation by law enforcement that revealed pornographic material involving children on electronic devices belonging to two teachers in Greenville County. Mr. Smith was one of the two teachers whose electronic devices were seized for forensic analysis. In the course of the investigation, it was determined that Mr. Smith was in possession of images of children engaged in sexual acts with adults and other children.

On December 17, 2014, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend Mr. Smith's educator certificate, certificate 252233, as a result of his arrest on December 12, 2014, in Greenville County, South Carolina, and being charged with five counts of Sexual Exploitation of a Minor, second degree, in accordance with S.C. Code Ann. § 16-15-405 (Supp. 2014). The SCDE sent notice to Mr. Smith via regular and certified mail, return receipt requested, on December 17, 2014. On December 20, 2014, Mr. Smith received the notice as evidenced by a signed postal receipt bearing his signature. On December 31, 2014, Mr. Smith's attorney requested a hearing in this matter. Prior to the scheduling of a hearing, Mr. Smith's attorney informed the SCDE that Mr. Smith desired to waive his right to a hearing and to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 252233, effective August 12, 2015.

Mr. Smith agrees to the permanent surrender of his South Carolina educator certificate 252233 subject to the following conditions: (1) his educator certificate will become permanently invalid and permanently revoked immediately upon the approval by the State Board of the Consent Order of Permanent Voluntary Surrender; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the permanent surrender of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and permanent revocation.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, 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, immorality, any conduct

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involving moral turpitude and evident unfitness for position for which employed.” S.C. Code Ann. § 59-25-160 (2004); 2 S.C. Code Regs 43-58 (Supp. 2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Smith engaged in unprofessional conduct, immorality, conduct involving moral turpitude and demonstrated evident unfitness for position for which employed as a result of his possession of child pornography on his computer.

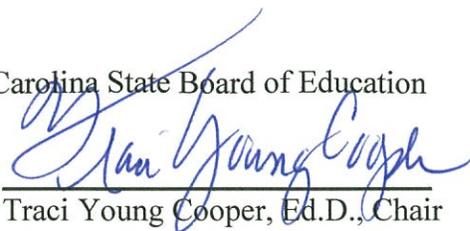
The evidence presented supports the State Board’s decision to accept the permanent voluntary surrender of educator certificate 252233, issued under the name of Christopher Mattison Smith, and to permanently revoke and render permanently invalid Mr. Smith’s educator certificate effective August 12, 2015.

Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of Christopher M. Smith, certificate 252233, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and revocation of the educator certificate of Christopher Mattison Smith, certificate 252233 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:


Traci Young Cooper, Ed.D., Chair

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Mattison
Smith
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Date

Columbia, South Carolina
August 12, 2015

I, Christopher Mattison Smith, S.C. Educator Certificate 252233, 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; and I hereby freely, knowingly and voluntarily permanently surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this permanent 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, consisting of four pages, and understand that this Order will be presented to the South Carolina State Board of Education on August 12, 2015.

Christopher Mattison Smith
Christopher Mattison Smith

7/22/15
Date

