

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
and Voluntary Surrender of the)
Educator Certificate of)
David M. Buddin)
Certificate 128518)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 11, 2011. On July 26, 2010, the South Carolina Department of Education (SCDE) sent David M. Buddin a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 128518 for unprofessional conduct, by regular and certified mail, return receipt, restricted delivery. On July 28, 2010, Mr. Buddin received the notice as evidenced by a signed postal receipt bearing his signature. Mr. Buddin did not request a hearing within the time specified in the notice and is in default. After considering the evidence presented, the State Board votes to permanently revoke Mr. Buddin's educator certificate 128518, effective March 11, 2011.

FINDINGS OF FACT

Mr. Buddin holds a professional educator certificate and has over twenty-eight years of teaching experience. He was employed by the Horry County School District (District) for the 2009-10 school year at St. James Middle School (School) as a physical education and health teacher. Mr. Buddin resigned at the conclusion of the 2009-10 school year following allegations that he attempted to access and did access pornographic materials on the District's laptop computer during the school day. The investigation revealed that Mr. Buddin violated the District's internet policy when he accessed pornographic and other highly inappropriate Web sites on his district computer before and during school hours with his user name and password. Mr. Buddin searched and viewed these Web sites during student instructional time. Many Web sites Mr. Buddin attempted to access were blocked by the District's filtering system.

On July 26, 2010, the SCDE sent David M. Buddin a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 128518 for unprofessional conduct, by regular and certified mail, return receipt, restricted delivery. On July 28, 2010, Mr. Buddin received the notice as evidenced by a signed postal receipt bearing his signature. Mr. Buddin did not request a hearing within the time specified in the notice and is in default. After considering the evidence presented, the State Board votes to permanently revoke Mr. Buddin's educator certificate 128518, effective March 11, 2011.

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 and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2010). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Buddin engaged in unprofessional conduct by violating the District internet policy when he accessed pornographic Web sites and other inappropriate Web sites before school and during school hours on his District laptop computer with his user name and password. His behavior also demonstrates an evident unfitness for the position for which he was employed. The State Board finds that sufficient information exists to support its decision to permanently revoke Mr. Buddin's educator certificate 128518, effective March 11, 2011.

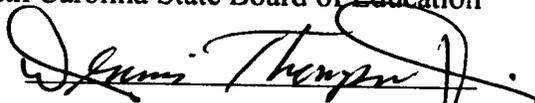
Now, therefore, it is hereby ordered that the educator certificate of David M. Buddin, certificate 128518 is permanently revoked, effective March 11, 2011. The permanent revocation of Mr. Buddin's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reason stated as "unprofessional conduct and evident unfitness for position for which employed."

Buddin, David M.
Order of Permanent Revocation
Page 3
March 11, 2011

AND IT IS SO ORDERED.

South Carolina State Board of Education

By:



~~Gerrita Postlewait, Chair~~ - D T Jr.

Dennis Thompson, Jr.,
Chair-Elect

Columbia, South Carolina
March 11, 2011