

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Surrender of the Educator)
Certificate of Michael Philip Landreth)
Certificate 262346)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 11, 2015. On January 23, 2015, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of Michael Philip Landreth, certificate 262346, as a result of allegations of his unprofessional conduct with students. The SCDE sent notice to Mr. Landreth on January 26, 2015. On January 30, 2015, Mr. Landreth received the notice as evidenced by a signed postal receipt bearing his signature. On February 5, 2015 Mr. Landreth's legal counsel contacted the SCDE and informed the SCDE that Mr. Landreth denied the allegations. Mr. Landreth's legal counsel also informed SCDE that he desired to waive his right to a hearing and agreed to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 262346, effective March 11, 2015. After reviewing the information presented, the State Board voted to accept the Consent Order of Permanent Voluntary Surrender of Mr. Landredth's educator certificate.

Michael
Philip
Landreth
262346

MP

Initial Here

3-3-15

Date

FINDINGS OF FACT

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

Mr. Landreth holds a professional South Carolina educator certificate and has two years of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Landreth had been employed by the York County School District Two (District) since 2013 as a Math teacher at Clover High School (School). The District received a report from the mother of a female student that Mr. Landreth had allegedly hosted parties for

students at his home and had provided alcohol to some students at the parties. The District received a separate report regarding allegations that Mr. Landreth may have been involved in inappropriate behavior of a sexual nature with a student. On January 22, 2015, the District discussed the allegations with Mr. Landreth and Mr. Landreth immediately resigned from his position with the District. The District promptly reported the allegations and resignation to the School Resource Officer (York County Sheriff's Department) and to the SCDE.

On January 23, 2015, 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. Landreth's educator certificate 262346, as a result of allegations of Mr. Landreth hosting parties with students in attendance, providing alcohol to some students at the parties, and engaging in inappropriate behavior of a sexual nature with a male student. The SCDE sent notice to Mr. Landreth on January 26, 2015. On January 30, 2015, Mr. Landreth received the notice as evidenced by a signed postal receipt bearing his signature.

On January 26, 2015, Mr. Landreth was arrested and charged with Sexual Battery with a Student, sixteen or seventeen years of age, pursuant to S.C. Code Ann. § 16-3-755(B) (Supp. 2014) and Contributing to the Delinquency of a Minor, pursuant to S.C. Code Ann. § 16-17-490 (2003). On February 5, 2015 Mr. Landreth's legal counsel contacted the SCDE and informed the SCDE that Mr. Landreth denied any wrong doing and that his response was out of confusion and politeness in reply to the allegations. Mr. Landreth's counsel also informed SCDE that he desired to waive his right to a hearing and agreed to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 262346, effective March 11, 2015.

Mr. Landreth agrees to the permanent surrender of his South Carolina educator certificate 262346 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

Michael Phillip Landreth 262346 <i>ML</i> Initial Here <i>3-6-15</i> Date:

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 and evident unfitness for position for which employed.” S.C. Code Ann. § 59-25-160 (2004); 2 S.C. Code Regs 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Landreth engaged in unprofessional conduct with students. The State Board finds that just cause exists to accept the permanent voluntary surrender of educator certificate 262346, issued in the name of Michael Philip Landreth, and to permanently revoke and render permanently invalid Mr. Landreth’s educator certificate effective March 11, 2015.

Michael Philip Landreth 262346 <i>MP</i> Initial Here <i>3-3-15</i> Date

Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of Michael Philip Landreth, certificate 262346, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and permanent revocation of the educator certificate of Michael Philip Landreth, certificate 262346 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
Traci Young Cooper, Ed.D., Chair

Columbia, South Carolina
March 11, 2015

I, Michael Philip Landreth, S.C. Educator Certificate 262346, 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 March 11, 2015.



Michael Philip Landreth

3-3-15

Date