BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation of the Educator Certificate of David Isaac Tisdale Certificate 190309	)	**ORDER OF REVOCATION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2012. In accordance with S.C. Code Ann. § 1-23-370(c) (2005), and State Board Rule of Governance BBABA, the Chair of the State Board summarily suspended the educator certificate of David Isaac Tisdale, certificate 190309, on September 9, 2009, following his arrest on August 25, 2009, on criminal charges pursuant to S.C. Code Ann. § 16-15-365 (Supp. 2011). On September 11, 2009, the South Carolina Department of Education (SCDE) sent notice to Mr. Tisdale of the summary suspension and his right to a hearing by certified mail, return receipt, restricted delivery and first class mail. On September 23, 2009, Mr. Tisdale received the notice as evidenced by a postal receipt bearing his signature. On December 13, 2011, the Williamsburg County Court of General Sessions dismissed the charge against Mr. Tisdale.

On March 1, 2012, the SCDE sent a notice letter to Mr. Tisdale of his right to a hearing with respect to his unprofessional conduct involving the misuse of two District-owned computers. On March 5, 2012, Mr. Tisdale received the notice as evidenced by a postal receipt bearing his signature. Mr. Tisdale did not request a hearing within the time period specified in the notice and is now in default.

After considering the evidence presented, the State Board voted to revoke Mr. Tisdale's educator certificate.

FINDINGS OF FACT

In accordance with S.C. Code Ann. § 1-23-370(c) (2004), the State Board summarily suspended the educator certificate of David Isaac Tisdale, certificate 190309,

on September 9, 2009, as a result of his August 25, 2009 arrest. Mr. Tisdale was charged with one count of exposure of private parts in a lewd manner, pursuant to S.C. Code Ann. § 16-15-365 (Supp. 2008).

Mr. Tisdale holds a suspended professional educator certificate and has eleven years of teaching experience. Mr. Tisdale was employed by the Williamsburg County School District (District) as a teacher at Kingstree Elementary School in Kingstree, South Carolina. The District terminated Mr. Tisdale's employment, effective August 20, 2009, following an investigation into allegations that Mr. Tisdale had two computers under his control in his classroom with hard drives containing pornography. Mr. Tisdale did not contest the termination of his employment with the District and did not request a hearing before the Williamsburg County School Board.

On September 11, 2009, the SCDE sent notice to Mr. Tisdale of the summary suspension and his right to a hearing by certified mail, return receipt, restricted delivery and first class mail. On September 23, 2009, Mr. Tisdale received the notice as evidenced by a postal receipt bearing his signature. On December 13, 2011, the Williamsburg County Court of General Sessions dismissed the charge against Mr. Tisdale from his prior 2009 arrest.

On March 1, 2012, the SCDE sent a letter to Mr. Tisdale notifying him of his right to a hearing with respect to his unprofessional conduct involving the misuse of District-owned computers. On March 5, 2012, Mr. Tisdale received the notice as evidenced by a postal receipt bearing his signature. Mr. Tisdale did not request a hearing within the time period specified in the notice and is now in default.

CONCLUSIONS OF LAW

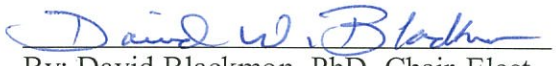
The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004), and may, for just cause, either revoke or suspend the certificate of any person. S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004), 24 S.C. Code Regs. 43-58 (Supp 2011). Just cause includes unprofessional conduct, immorality, and any conduct which evidences unfitness for teaching. S. C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (Supp. 2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Tisdale engaged in unprofessional conduct,

immorality, and demonstrated an evident unfitness for his employment position resulting from his misuse of District-owned computers and the downloading of pornography on these computers. This evidence presented supports the State Board's decision to revoke the educator certificate of David Isaac Tisdale, certificate 190309, effective August 8, 2012.

Now, therefore, it is hereby ordered that the educator certificate of David Isaac Tisdale, certificate 190309, is hereby revoked. The revocation of this 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 reasons stated as "unprofessional conduct, immorality and evident unfitness for position for which employed."

AND IT IS SO ORDERED.

South Carolina State Board of Education



By: David Blackmon, PhD, Chair-Elect

Columbia, South Carolina
August 8, 2012