

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
of the Educator Certificate of)
)
Daniel R. Archer)
)
Certificate 236459)
_____)

**ORDER OF
PERMANENT REVOCATION**

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on March 11, 2015. On December 12, 2014, Mr. Daniel R. Archer was arrested in Greenville County, South Carolina, and charged with four counts of Sexual Exploitation of a Minor, third degree, in accordance with S.C. Code Ann. § 16-15-410 (Supp. 2014). On December 17, 2014, the Chair of the State Board summarily suspended Mr. Archer's educator certificate, in accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), and State Board Rule of Governance BBABA. On December 17, 2014, the South Carolina Department of Education (SCDE) sent notice to Mr. Archer informing him that his educator certificate had been summarily suspended and that the State Board would meet to make a determination regarding the possible suspension or revocation of his educator certificate by regular and certified mail, return receipt requested. On December 20, 2014, Mr. Archer received the notice as evidenced by a signed receipt bearing his signature. Mr. Archer did not request a hearing in this matter and is in default.

After considering the evidence presented concerning Mr. Archer's unprofessional conduct, the State Board voted to permanently revoke Mr. Archer's educator certificate 236459, effective March 11, 2015.

FINDINGS OF FACT

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

Mr. Archer holds a professional South Carolina educator certificate and has over 27 years of teaching experience. Mr. Archer had been employed by the Greenville County School District One (District) as a physical education teacher at Mauldin Middle School (School) since 2008. On December 12, 2014, Mr. Archer was arrested in Greenville County, South Carolina, and charged

with four counts of Sexual Exploitation of a Minor, third degree, in accordance with S.C. Code Ann. § 16-15-410 (Supp. 2014).

On December 10, 2014, the Greenville County Sheriff's Office was notified by the National Center for Missing and Exploited Children with two tips identifying child pornography on computers belonging to persons in Greenville County. Mr. Archer's electronic devices were seized for forensic analysis. In the course of the investigation, it was discovered that Mr. Archer was in possession of images of children engaged in sexual acts with adults on his personal computer. Mr. Archer's personal computer also included images and videos of fully clothed Mauldin Middle School students participating in school activities. Mr. Archer has admitted to his possession of child pornography.

In accordance with S.C. Code Ann. § 1-23-370(c) (2004) and State Board Rule of Governance BBABA, the SCDE requested that the Chair of the State Board summarily suspend Mr. Archer's educator certificate as a result of his arrest and his unprofessional conduct. On December 17, 2014, the Chair of the State Board summarily suspended Mr. Archer's educator certificate.

On December 17, 2014, the SCDE sent notice to Mr. Archer that his South Carolina educator certificate was summarily suspended. The notice also informed Mr. Archer that the State Board would meet to make a determination regarding the possible suspension or revocation of his educator certificate and his right to a hearing. The SCDE sent the notice by regular and certified mail, return receipt requested. On December 20, 2014, Mr. Archer received the notice as evidenced by a signed postal receipt. Mr. Archer did not request a hearing in this matter and is in default.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Archer's educator certificate 236459, effective March 11, 2015.

CONCLUSIONS OF LAW

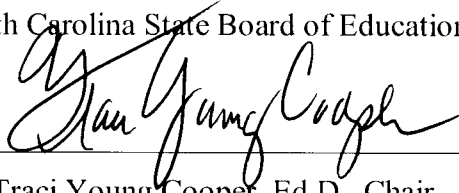
"The State Board may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes, inter alia, unprofessional conduct, immorality, conduct involving moral turpitude, and evident unfitness for position for which employed. S. C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Archer engaged in unprofessional conduct, immorality, conduct involving moral turpitude, and exhibited

evident unfitness for position for which employed as a result of his possession of child pornography and his admission to possession of 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 236459 issued in the name of Daniel R. Archer. The permanent revocation of Mr. Archer's educator certificate 236459 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

Columbia, South Carolina
March 11, 2015