

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Daniel Brown,)
Educator Certificate 246304)
_____)

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on October 4, 2017. In accordance with S.C. Code Ann. § 1-23-370(c) (2016), § 59-5-10 (2016), 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 Daniel Brown, educator certificate 246304, as a result of the pending criminal charges against him. Mr. Brown has been charged with ten counts of Third Degree Sexual Exploitation of a Minor, S.C. Code Ann. §16-15-410 (Rev. 2015). Third Degree Sexual Exploitation of a Minor is classified as a Class E felony, S.C. Code Ann. §16-1-90 (E) (Rev. 2015). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Brown may pose a threat to the health, safety, and welfare of students, who may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Brown's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Brown of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Brown holds a professional South Carolina educator certificate and has over thirteen years of teaching experience. Mr. Brown had been employed by the Greenville County School District (District) since August 13, 2009, and served most recently as an Instructional Technology Specialist at Wade Hampton High School. He resigned from his position with the District on September 20, 2017.

The Greenville County Sheriff's Office has charged Mr. Brown with ten counts of Third Degree Sexual Exploitation of a Minor pursuant to S.C. Code Ann. §16-15-410 (Rev. 2015). It is alleged that law enforcement received information from the National Center for Missing and Exploited Children that Mr. Brown had downloaded from the internet an image of a three year old child in a sexually suggestive situation. As a result, a search warrant was obtained and digital media was discovered on his electronic devices bearing the images of minor children in pornographic settings. The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Brown may pose a threat to the health, safety, and welfare of students who may be under his instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Brown's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Brown of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). In accordance with S.C. Code Ann. § 1-23-370(c) (2016), "If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann § 59-5-10 (2016) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Brown's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed, and his arrest on ten counts of Third Degree Sexual Exploitation of a Minor, there is reason to believe Mr. Brown may pose a threat to the health, safety, and welfare of students and emergency action is required. Accordingly, the educator certificate of Daniel Brown, educator certificate 246304, is summarily suspended until a due process hearing is held and/or this matter

Daniel Brown, Educator Certificate 246304
Order of Summary Suspension
October 4, 2017
Page 3

is otherwise resolved. The SCDE is directed to serve notice on Mr. Brown of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
October 4, 2017