

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Freddie Dean Smith
Certificate 258369

ORDER OF REVOCATION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on September 8, 2020. On July 28, 2020, the South Carolina Department of Education (SCDE) sent a notice letter to Freddie Dean Smith regarding the possible suspension or revocation of his South Carolina educator certificate. Mr. Smith received the notice on August 1, 2020, as evidenced by a signed postal receipt. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Kerr has been given fair notice of constitutional due process. Mr. Smith has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to revoke Mr. Smith's educator certificate 258369, effective September 8, 2020.

FINDINGS OF FACT

This is a disciplinary matter involving unprofessional conduct. Mr. Smith holds a South Carolina professional educator certificate that has expired. Mr. Smith has over twenty years of educator experience, but has not worked as an educator in South Carolina since 2003.

On May 13, 2020, the SCDE received a complaint from the Office of Educator Services after receiving an alert notifying them that Mr. Smith had been denied renewal of his Virginia certificate. It was further reported that Mr. Smith's educator certificate in Maryland had been revoked. The SCDE's investigation revealed Virginia refused to renew Mr. Smith's after the Superintendent's Investigation Panel determined that he "attempted to obtain a license by fraudulent means or through misrepresentation of material facts Per Virginia administrative code, 8VAC20-23-720" in January of 2015. Specifically, the Virginia Board of Education determined Mr. Smith failed to disclose a felony conviction, despite being asked expressly in the application process whether he had such a conviction. Mr. Smith never mentioned the issues surrounding his Virginia certification or the revocation of his certificate in Maryland. SCDE records

show that Mr. Reyes taught in South Carolina for a total of 84 days during 2003. According to SCDE records, the revocation was reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse on November 21, 2017.

After considering the evidence presented, the State Board voted to revoke Mr. Smith's educator certificate 258369, effective September 8, 2020.

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 (2016). Just cause includes "unprofessional conduct, crime against the law of this State or the United States, evident unfitness for position for which employed, and sale or possession of narcotics." S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). Accordingly, the evidence presented supports the State Board's determination that just cause exists to revoke the educator certificate of Freddie Dean Smith, Educator Certificate 258369, effective September 8, 2020.

Mr. Smith has the right to apply for certification after three years. Mr. Smith shall, pursuant to State Board Rule BBCDB, be subject to a character and fitness review before the State Board with employment information during the period of certificate surrender; community service records; letters of support from a current or prospective school district employer, if applicable; letters of support from community leaders; and SLED and FBI background checks. Mr. Smith shall also pay all applicable fees for certification, if any. The revocation of Mr. Smith'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.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: s/Michael Brenan
Michael Brenan, Chair

Columbia, South Carolina
September 8, 2020