

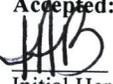
BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

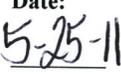
In the Matter of the Public Reprimand)
)
of the Educator Certificate of)
)
Tammy A. Browder)
)
Certificate 165870)
_____)

**CONSENT ORDER
OF PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 9, 2011. On March 10, 2011, the South Carolina Department of Education (SCDE) sent a notice of the possible action against her South Carolina educator certificate to Tammy A. Browder by certified mail, restricted delivery, and return receipt requested. On March 14, 2011, Ms. Browder received the notice as evidenced by a postal receipt bearing her signature and contacted the SCDE. Ms. Browder agreed to resolve the case without a hearing upon the following terms: (1) a public reprimand will be issued to Ms. Browder by the State Board, and (2) the consent order of public reprimand of the educator certificate of Ms. Browder, certificate 165870, shall be reported to the school districts in South Carolina within thirty days from the date of this order with the reasons stated as "unprofessional conduct and test security violation." After considering the evidence presented, the State Board voted to accept the Consent Order and issued a Public Reprimand to Ms. Browder.

Accepted:

Initial Here

Date:


Tammy A.
Browder
#165870

FINDINGS OF FACT

Ms. Browder holds a valid South Carolina educator certificate and has over eighteen years of teaching experience. She has no prior record of disciplinary action with the State Board. Ms. Browder is employed by the Lexington County School District Two (District) as a teacher at B-C Grammar School No. 1 (School). On May 12, 2010, an alleged test security violation was committed by Ms. Browder. Ms. Brooke Ebener reported to the Principal, Mr. Clark, that Ms. Browder, (1) looked through an extra test booklet and wrote some notes; (2) put her head down several times during testing; (3)

gave rulers out and elaborated on the directions; (4) told students to only use the rulers if they saw the word "measure", and (5) checked her voice mail, during the administration of the third grade math portion of the Spring 2010 PASS test. Ms. Browder admitted in her written statement that she did make a reference to the test to students when she stated that "you may or may not have to use the ruler." Mr. Browder also admitted that she checked the caller I.D. on her cell phone because her mother was in intensive care in the hospital and she thought that a doctor may have been calling her. Mr. Browder also admitted that she put her head down on the desk and that she flipped through the test book of a student who was absent from testing that day.

On November 30, 2010, the SCDE reported the alleged test security violation to the South Carolina Law Enforcement Division (SLED). On December 29, 2010, SLED reported back to the SCDE that none of the violations were deemed significant enough for SLED to open an investigation and declined to investigate these violations criminally.

Ms. Browder has agreed to resolve this case without a hearing upon the following terms: (1) a public reprimand will be issued to Ms. Browder by the State Board, and (2) the consent order of public reprimand of the educator certificate of Ms. Browder, certificate 165870, shall be reported to all school districts in South Carolina within thirty days from the date of this order with the reasons stated as "unprofessional conduct and test security violation."

Accepted:  Initial Here
Date: 5-25-11
Tammy A. Browder #165870

CONCLUSIONS OF LAW

"The State Board of Education 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). Just cause includes unprofessional conduct and violation of the rules and regulations of the State Board of Education. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58.3 & 4 (Supp. 2010). It is unlawful for anyone to knowingly violate State Board security procedures regulations for mandatory tests administered to students, or to knowingly use all or any portion of a secure test booklet in any manner inconsistent with test security regulations. S.C. Code Ann § 59-1-445 (1) (b) (2004). The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend or revoke Tammy A. Browder's educator certificate; however, just cause does

exist for a Public Reprimand of Ms. Browder's conduct. Ms. Browder acknowledges that her conduct violated the rules and regulations of the State Board. Accordingly, the State Board accepts this Consent Order and issues a Public Reprimand to Ms. Browder. The public reprimand of the educator certificate of Tammy Browder, certificate 165870, shall be reported to all school districts in South Carolina within thirty days from the date of this order with the reasons stated as "unprofessional conduct and test security violation."

AND IT IS SO ORDERED.

South Carolina State Board of Education



Gerrita Postlewait, Chair

Columbia, South Carolina
June 9, 2011

I, Tammy A. Browder, SC Educator Certificate #165870, have read the Consent Order of Public Reprimand, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented as signed to the State Board of Education on Thursday, June 9, 2011.



Tammy A. Browder



Date