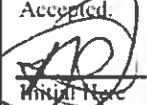


**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension )  
 )  
or Revocation of the Educator ) **CONSENT ORDER OF**  
 )  
Certificate of Neely D. Swofford ) **SUSPENSION**  
 )  
Certificates 221128, 904586 )

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on September 09, 2015. On July 28, 2015, the South Carolina Department of Education (SCDE) sent notice to Neely D. Swofford of the possible suspension or revocation of her educator certificates by regular and certified mail, return receipt requested. However, the notice was received back by the SCDE on August 12, 2015, due to no forwarding address. Another notice was sent by regular and certified mail, return receipt requested to her current address on August 25, 2015. She received the notice on August 27, 2015. Ms. Swofford agreed to waive her right to a hearing in this matter and accept an eleven (11) month period of suspension of her educator certificates, commencing on September 09, 2015 and ending on August 08, 2016. Ms. Swofford. After considering the information presented by the SCDE, the State Board voted to suspend Ms. Swofford's educator certificates for eleven (11) months, commencing on September 09, 2015 and ending on August 08, 2016.

Accepted.  
  
Initials  
8/28/15  
Date  
Neely D.  
Swofford  
221128.  
904586

**FINDINGS OF FACT**

Ms. Swofford holds a professional educator certificate and has over ten (10) years of teaching experience. Ms. Swofford was employed by Cherokee County School District (District) for the 2014-2015 school year as a Career and Technology Education (CATE) teacher at the Cherokee Technology Center (School). Ms. Swofford resigned from her employment, effective June 30, 2015, following an investigation into allegations concerning her failure to maintain security on a secure test belonging to the South Carolina Fire Academy (SCFA). In lieu of a hearing regarding this conduct, Ms. Swofford consents to a suspension of her certificates for a period of eleven (11) months.

Ms. Swofford had been employed with the District since 2005. Ms. Swofford was employed pursuant to a continuing contract with the District until District administration placed her on administrative leave May 18, 2015, after it was reported that she photographed a secure test from the SCFA and later accidentally posted the photographs (2) on her social media account.

Ms. Swofford admitted that she demonstrated poor judgment by photographing a portion of the test and later accidentally posting to her social media account when uploading non-related photographs.

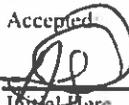
On August 24, 2015, the SCDE sent notice to Ms. Swofford of the possible suspension or revocation of her educator certificates by regular and certified mail, return receipt requested. On August 27, 2015, Ms. Swofford received the notice as evidenced by a postal receipt bearing her signature. Ms. Swofford agreed to waive her right to a hearing in this matter and will accept an eleven (11) month period of suspension of her educator certificates. After considering the information presented by the SCDE, the State Board voted to suspend Ms. Swofford's educator certificates for a period of eleven (11) months, commencing on September 09, 2015 and ending on August 08, 2016.

#### 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". S.C. Code Ann. § 59-25-160 (2004), S.C. Code Ann. Regs. 43-58 (Supp. 2009). The State Board finds that the evidence presented demonstrates that Ms. Swofford engaged in unprofessional conduct as a result of her taking photographing a portion of the test and later accidentally posting to her social media account when uploading non-related photographs, and that just cause exists to suspend Ms. Swofford's educator certificates for a period of eleven (11) months, commencing on September 09, 2015 and ending on August 08, 2016.

Now, therefore, it is ordered that the educator certificates of Neely D. Swofford, certificate 221128 and 904586, are hereby suspended for a period of eleven (11) months, commencing on September 09, 2015 and ending on August 08, 2016. During the suspension period, Ms. Swofford agrees not to be employed or to volunteer, in any capacity, in any school district in the State of South Carolina. If Ms. Swofford wishes to have her educator certificates reinstated at the end of the suspension period, she must meet all certification requirements and shall submit a written request to the SCDE's Office of Educator Services. Ms. Swofford shall be responsible for the payment of all applicable fees, including any reinstatement fees. The suspension of Ms. Swofford's educator certificates 221128 and 904586 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

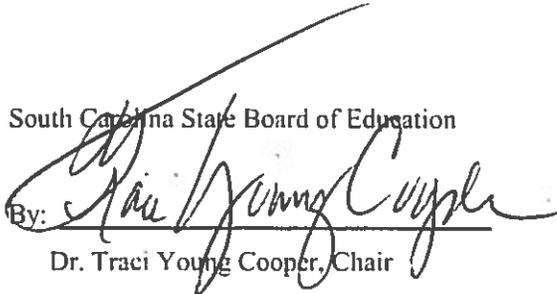
**AND IT IS SO ORDERED.**

Accepted 
Initial Here
8-28-15 Date
Neely D. Swofford 221128. 904586

Swofford, Neely D.  
Consent Order of Suspension  
September 09, 2015  
Page 3

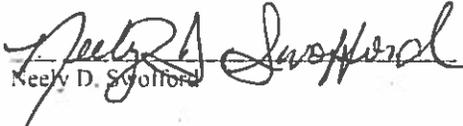
South Carolina State Board of Education

By:

  
Dr. Traci Young Cooper, Chair

Columbia, South Carolina  
September 09, 2015

I, Neely D. Swofford, S.C. Educator Certificates 221128 and 904586, have read the Consent Order of suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I agree to the proposed Consent Order of suspension, consisting of three pages, and understand that this Order will be presented as signed to the South Carolina State Board of Education on September 09, 2015.

  
Neely D. Swofford

8-28-15  
Date



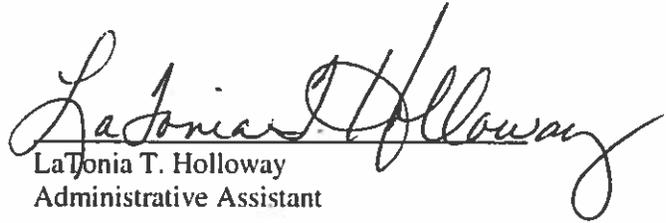
BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or )  
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Revocation of the Educator Certificate of )  
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Neely D. Swofford )  
 )  
Certificate 221128 )

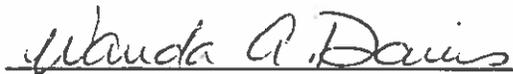
CERTIFICATE OF MAILING

Ms. Neely D. Swofford  
180 Lake Cherokee Road  
Gaffney, SC 29340

PERSONALLY APPEARED BEFORE ME LaTonia T. Holloway, who, being duly sworn, deposes and says: That she is an Administrative Assistant for the South Carolina Department of Education, Office of General Counsel with offices at Columbia, SC; that on the 9<sup>th</sup> day of September 2015, she mailed in a sealed envelope, postage prepaid, a copy of Ms. Swofford's Order of Suspension to Ms. Swofford at the above address.

  
LaTonia T. Holloway  
Administrative Assistant

SWORN TO BEFORE ME this 9  
DAY of Sept., 2015

  
Notary Public for South Carolina

My Commission Expires: 3-17-16

