

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
and Voluntary Surrender of the)
)
Educator Certificate of)
)
Kimberly Dawn Anthony)
)
Certificate 190776)
_____)

**CONSENT ORDER OF
PERMANENT
VOLUNTARY SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on ~~February~~ ^{March} 12, 2014. On August 9, 2013, the South Carolina Department of Education (SCDE) sent notice to Ms. Anthony that the State Board would meet to make a determination regarding possible disciplinary action of her South Carolina educator certificate 190776 and her right to a hearing by regular and certified mail, return receipt requested. After Ms. Anthony received the notice, her attorney notified the SCDE that Ms. Anthony requested a private hearing in this matter. Prior to the hearing in this matter, Ms. Anthony's attorney informed the SCDE that Ms. Anthony desired to waive her right to a hearing and agreed to permanently surrender her educator certificate. Ms. Anthony has agreed to the terms and conditions of the Consent Order of Permanent Voluntary Surrender as stated herein.

FINDINGS OF FACT

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

Ms. Anthony holds a professional educator certificate and has over twelve years of teaching experience. She had been employed by the Pickens County School District (District) since August 10, 1998. During the 2012-2013 school year, the District employed Ms. Anthony as a teacher at Gettys Middle School. On September 29, 2012, the District placed Ms. Anthony on administrative leave during an investigation into allegations of Ms. Anthony's alleged possession of illegal drugs and controlled substances. On October 1, 2012, the District

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suspended Ms. Anthony's employment. On October 12, 2012, Ms. Anthony resigned from her employment with the District.

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Ms. Anthony voluntarily agrees to the permanent surrender of her educator certificate 190776 and agrees to the following conditions: (1) her educator certificate will become permanently invalid and revoked immediately upon the approval by the State Board of the permanent voluntary surrender; (2) she may never apply for a South Carolina educator certificate; (3) she has waived her right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review; and (4) she agrees that her surrender will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and revocation with the reasons stated as "unprofessional conduct and evident unfitness for position for which employed."

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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 (Rev. 2004); 2 S.C. Code Ann. Regs. § 43-58 (Supp. 2011). Just cause includes: "Unprofessional conduct and evident unfitness for position for which employed." S.C. Code Ann. §59-25-160 (Rev. 2004); 2 S.C. Code Ann. Regs. § 43-58 (Supp. 2011). The State Board finds that the evidence presented, which is undisputed by Ms. Anthony, supports the State Board's decision that just cause exists to accept the permanent voluntary surrender of educator certificate 190776, issued under the name of Kimberly Dawn Anthony, and to permanently revoke her educator certificate effective ~~February~~ ^{March} 12, 2014. Ms. Anthony shall not be eligible to apply for an educator certificate in South Carolina in the future.

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Ms. Anthony has waived her right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review. The permanent voluntary surrender and permanent revocation of Ms. Anthony's educator certificate 190776 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct and evident unfitness for position for which employed."

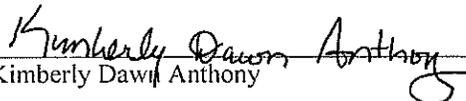
AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Barry F. Bolen, Chair

Columbia, South Carolina
~~February~~ ^{March} 12, 2014

I, Kimberly Dawn Anthony, S.C. Educator Certificate 190776, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; I hereby freely, knowingly and voluntarily surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this surrender shall have the same effect as a permanent revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the proposed Consent Order of Permanent Voluntary Surrender and Revocation, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on February 12, 2014.


Kimberly Dawn Anthony

1/17/14
Date