BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary Surrender of the Educator Certificate of Tammy Joy Key, Certificate 171606	)	**CONSENT ORDER OF VOLUNTARY SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 13, 2013. On October 22, 2009, the Chair of the State Board, in accordance with the S.C. Code Ann § 1-23-370(c) (2004) and State Board Rule BBABA, summarily suspended the educator certificate of Tammy Joy Key at the request of the South Carolina Department of Education (SCDE), as a result of her arrest on October 19, 2009, on criminal charges. On October 23, 2009, the SCDE sent Ms. Key a notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate 171606 by regular and certified mail, return receipt, restricted delivery. On October 26, 2009, Ms. Key received the notice as evidenced by a postal receipt bearing her signature.

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Date

Tammy Joy Key
171606

On November 9, 2009, counsel for Ms. Key contacted the SCDE and informed the SCDE that Ms. Key desired a hearing in this matter following the resolution of the criminal charges. Ms. Key has pled guilty to one count of Contributing to the Delinquency of a Minor and has agreed to voluntarily surrender her South Carolina educator certificate as part of a plea agreement with the Aiken County Solicitor's Office. Ms. Key has agreed to waive her right to a hearing and enter into this Consent Order of Voluntary Surrender of her educator certificate. After reviewing the information presented, the State Board voted to accept the voluntary surrender of Ms. Key's educator certificate.

FINDINGS OF FACT

Ms. Key has over fifteen years of teaching experience and no prior record of disciplinary action with the State Board. Ms. Key was employed by the Aiken County School District (District) as a seventh grade math teacher at Langley-Bath-Clearwater Middle School in Warrensville, South Carolina, until she resigned on March 10, 2010.

On October 19, 2009, Ms. Key was arrested in Aiken County, South Carolina, on criminal charges. Ms. Key denied the allegations. On October 22, 2009, the Chair of the State Board, in accordance with the S.C. Code Ann § 1-23-370(c) (2004) and State Board Rule BBABA, summarily suspended Ms. Key's educator certificate at the request of the SCDE, as a result of her arrest on October 19, 2009, on criminal charges. The Chair of the State Board found that, due to the serious nature of the allegations of misconduct against Ms. Key, she may have posed a threat to the health, safety, or welfare of students that might have been under her instruction and that emergency action by the State Board was required. After considering the evidence presented by the SCDE, the Chair of the State Board summarily suspended Ms. Key's certificate until a due process hearing was held and/or the matter was otherwise resolved.

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Tammy Joy Key
171606

On October 23, 2009, the SCDE sent Ms. Key a notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate 171606 by regular and certified mail, return receipt, restricted delivery. On October 26, 2009, Ms. Key received the notice as evidenced by a postal receipt bearing her signature. On November 9, 2009, counsel for Ms. Key contacted the SCDE and informed the SCDE that Ms. Key desired a hearing regarding the possible revocation of Ms. Key's license. Ms. Key's counsel advised the SCDE that Ms. Key desired that the hearing be scheduled following the resolution of the criminal charges.

On or about April 22, 2010, Ms. Key pled guilty to one count of Contributing to the Delinquency of a Minor, a misdemeanor offense, in violation of S. C. Code Ann. § 16-17-490 (2004). All other charges against Ms. Key were dismissed. The court ordered that Ms. Key serve eighteen months' probation for this crime, and pay court costs and fines of $133.90. Ms. Key also agreed to voluntarily surrender her South Carolina

educator certificate as part of the plea agreement with the Aiken County Solicitor's Office. Ms. Key agrees to waive her right to a hearing and enter into this Consent Order of Voluntary Surrender of her educator certificate.

Ms. Key understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review. She acknowledges that the voluntary surrender of her educator certificate will be reported to the NASDTEC Clearinghouse.

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Date

Tammy Joy Key
171606

CONCLUSIONS OF LAW

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

The South Carolina 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, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Ms. Key committed a crime against the law of this state, engaged in unprofessional conduct, and also demonstrated an evident unfitness for the position for which she was employed as a result of her guilty plea to one count of Contributing to the Delinquency of a Minor, in violation of S.C. Code Ann. § 16-17-490 (2004).

Now, therefore, it is hereby ordered that the Consent Order of Voluntary Surrender of the educator certificate of Tammy Joy Key, certificate 171606 is accepted. The voluntary surrender of Ms. Key's educator certificate 171606 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, crime against the law of this State, and evident unfitness for position for which employed."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: David W. Blackmon

Dr. David Blackmon, Chair

Columbia, South Carolina
March 13, 2013

I, Tammy Joy Key, S.C. Educator Certificate 171606, 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 hereby freely, knowingly and voluntarily surrender my educator certificate to the South Carolina State Board of Education. 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 in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach, or in any other position in a public school in the State of South Carolina, except with respect to parental duties. I agree to the proposed Consent Order of Voluntary Surrender, consisting of four pages, and understand that this Order will be presented for approval to the South Carolina State Board of Education on March 13, 2013.

Tammy Joy Key Tammy Joy Key — 3-5-13

Tammy Joy Key — Date