

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)
)
the Certificate of Educator)
)
Timothy Dale Turner)
)
Certificate 236011)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 9, 2016. On June 30, 2016, the South Carolina Department of Education (SCDE) sent notice to Timothy Dale Turner informing him that the State Board would meet to make a determination regarding the possible suspension of his educator certificate by regular and certified mail, return receipt requested. Mr. Turner received the notice and informed the SCDE on July 12, 2016, that he desired to waive his right to a hearing in this matter. He has agreed to enter into a Consent Order of Suspension of his educator certificate 236011 for three years. After considering the evidence presented, the State Board voted to suspend Mr. Turner's educator certificate for a period of three years commencing on August 9, 2016, and ending on August 8, 2019.

FINDINGS OF FACT

Mr. Turner holds a professional South Carolina educator certificate and has over ten years of teaching experience. On July 1, 2011, he obtained his South Carolina educator certificate via reciprocity from Florida. Mr. Turner was first employed by the SCDE Office of Virtual Education (OVE) in 2012. The OVE hired Mr. Turner as a full time teacher for the 2015-2016 school year.

On March 4, 2016, the SCDE OVE reported Mr. Turner's dismissal to the SCDE's Office of General Counsel (OGC). The termination resulted from Mr. Turner's unauthorized use of confidential student information of students assigned to another SCDE OVE teacher. Mr. Turner's use of this information to create fraudulent student records constituted falsification of agency records and documents and made Mr. Turner complicit to false statements to a supervisor. The SCDE determined that his actions were

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academic fraud. The SCDE OVE terminated Mr. Turner's employment after a school district in Florida contacted the SCDE OVE with information regarding Mr. Turner's employment. SCDE policy states that full time employees working for the SCDE OVE cannot hold another full time job. However, the Florida school district informed the SCDE OVE that Mr. Turner had also been employed full time with the District as a classroom teacher for the 2015-2016 school year.

The Florida school district contacted the SCDE OVE because of Mr. Turner's activity on the school district's wireless network. According to the district's network logs, Mr. Turner would often be logged in on his school computer to the SCDE OVE website during times when he was supposed to be performing his assigned duties as a classroom teacher. The SCDE OVE reviewed the records provided by the Florida school district and discovered Mr. Turner was often entering the SCDE OVE website using the login information of another SCDE OVE employee in violation of SCDE OVE procedures. He had unauthorized access to students and records assigned to another teacher. Mr. Turner is no longer employed by the Florida school district.

On June 30, 2016, the SCDE sent notice to Mr. Turner informing him that the State Board would meet to make a determination regarding the possible disciplinary action of his educator certificate. Mr. Turner received the notice on July 12, 2016, and informed SCDE that he desired to waive his right to a hearing in this matter and pursue an alternative resolution of this matter. He has agreed to enter into a Consent Order of Suspension of his educator certificate 236011 for three years. After considering the evidence presented, the State Board voted to suspend Mr. Turner's educator certificate for a period of three years commencing on August 9, 2016, and ending on August 8, 2019.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, 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 dishonesty. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Turner engaged in unprofessional conduct and dishonesty by disregarding SCDE regulations that prohibit a full time employee to hold a second full

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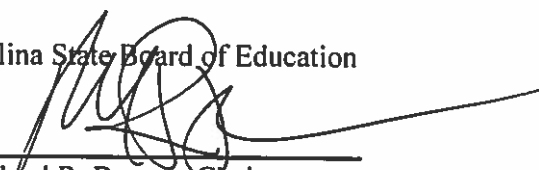
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time job, by using a coworker's login information to gain access to confidential student information and his commission of academic fraud. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Timothy Dale Turner on the grounds of unprofessional conduct and dishonesty for a period of three years commencing on August 9, 2016, and ending on August 8, 2019.

Now, therefore, it is hereby ordered that the educator certificate of Timothy Dale Turner, certificate 236011, is suspended for a period of three years commencing on August 9, 2016, and ending on August 8, 2019. If Mr. Turner wishes to have his certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the SCDE's Office of Educator Services. Mr. Turner shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Turner'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.

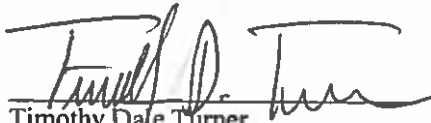
South Carolina State Board of Education

By: 

Michael R. Brennan, Chair

Columbia, South Carolina
August 9, 2016

I, Timothy Dale Turner, S.C. Educator Certificate 236011, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, 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. 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 agree to the suspension of my educator certificate by the South Carolina State Board of Education. I agree to the proposed Consent Order of Suspension, consisting of four pages, and understand that this Order will be presented to the South Carolina State Board of Education on August 9, 2016.


Timothy Dale Turner


Date