

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)
the Certificate of Educator)
Certificate of Timothy Evan Turner)
Certificate 274048)

**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 Evan 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 274048. After considering the evidence presented, the State Board voted to suspend Mr. Turner's educator certificate for a period of one year commencing on August 9, 2016, and ending on August 8, 2017.

FINDINGS OF FACT

Mr. Turner holds a professional South Carolina educator certificate and has three years of teaching experience in Florida. On July 1, 2015, he obtained his South Carolina educator certificate via reciprocity from Florida. While being employed with the Marion County Public Schools District in Ocala, Florida, Mr. Turner became a part-time employee of SCDE, Office of Virtual Education (OVE) serving as a virtual education teacher in the area of College and Career Readiness. Mr. Turner began employment with OVE on January 4, 2016. As a part time OVE employee, it was permissible for Mr. Turner to be employed as a teacher in Florida.

On March 4, 2016, the SCDE OVE notified Mr. Turner that his employment was terminated, effective immediately, due to his disclosure of student information for unauthorized use to another SCDE OVE employee and that this disclosure constituted

Timothy
Evan
Turner
274048

TET
Initial Here

7/19/16
Date

falsification of agency records and documents. The SCDE OVE reported Mr. Turner's dismissal to the SCDE's Office of General Counsel (OGC). Mr. Turner allowed another SCDE OVE employee to use his login information and have access to confidential student information. This access allowed the other SCDE OVE employee to perform Mr. Turner's work for him. Computer records show that the other SCDE OVE employee regularly signed in to the OVE's computer systems using Mr. Turner's assigned login.

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 suspension of his educator certificate. Mr. Turner received the notice on July 12, 2016, and informed the SCDE 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 274048 for one year. After considering the evidence presented, the State Board voted to suspend Mr. Turner's educator certificate for a period of one year commencing on August 9, 2016, and ending on August 8, 2017.

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 allowing another employee to use his login information to access confidential student information. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Timothy Evan Turner on the grounds of unprofessional conduct and dishonesty for a period of one year commencing on August 9, 2016, and ending on August 8, 2017.

Now, therefore, it is hereby ordered that the educator certificate of Timothy Evan Turner, certificate 274048, is suspended for a period of one year commencing on August 9, 2016, and ending on August 8, 2017. 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

Timothy
Evan
Turner
274048

TET
Initial Here

7/19/16
Date

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. Brenan, Chair

Columbia, South Carolina
August 9, 2016

I, Timothy Evan Turner, S.C. Educator Certificate 274048, 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 three pages, and understand that this Order will be presented to the South Carolina State Board of Education on August 9, 2016.

Timothy Evan Turner
Timothy Evan Turner

7/19/16
Date