

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the)
)
Disciplinary Action of the)
)
Educator Certificate of)
)
Jennie D. Carter aka Beym)
)
Certificate 217535)

**CONSENT ORDER OF
PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 12, 2019. On December 20, 2018, the South Carolina Department of Education (SCDE) sent Jennie D. Carter a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against her educator certificate. After receiving the notice letter, Ms. Carter's counsel contacted the SCDE and advised that she desired to waive her right to a hearing and pursue an alternative resolution in this matter. After considering the evidence presented, the State Board voted to accept this Consent Order of Public Reprimand. Ms. Carter has also agreed to two courses prescribed by the SCDE's Office of General Counsel (OGC).

FINDINGS OF FACT

Ms. Carter holds a valid South Carolina professional educator certificate in the area of speech therapy and has over thirteen years of experience. She has no prior record of disciplinary action with the State Board. At the time of the infractions, Ms. Carter was a speech therapist with the Newberry County School District (District).

On March 8, 2018, the District notified Ms. Carter that they had completed an investigation into allegations she had failed to serve students who required speech therapy. Further, the allegation noted Ms. Carter had falsified Medicaid documentation. The District documentation showed Ms. Carter had recorded service dates with students who were absent from school or had allegedly missed therapy on the day recorded. In her defense, Ms. Carter alleges that she provided the services as required but recorded the therapy sessions on the dates they were scheduled. Medicaid documentation requires recording of

Jennie
D.
Carter
217535


Initial

01/07/2019
Date

the date the service was actually provided, and the District was unable to submit Ms. Carter's documentation for reimbursement.

Ms. Carter has agreed to waive her right to a hearing and resolve this disciplinary matter by entering into this Consent Order of Public Reprimand, subject to the following terms: (1) a Public Reprimand shall be issued by the State Board, (2) the Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order, and (3) the Consent Order of Public Reprimand shall be posted on the SCDE's website and shall be maintained as a public record in the OGC. Ms. Carter has agreed to complete two courses prescribed by the OGC and located through the American Speech-Language-Hearing Association (ASHA). After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand with the terms set forth above.

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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2017); 24 S.C. Code Regs. 43-58 (2017). The State Board finds that the evidence presented by the District would not support a conclusion that just cause exists to suspend or revoke the educator certificate of Jennie D. Carter.; however, the evidence that would be presented would support a conclusion that Ms. Carter engaged in unprofessional conduct as a result of her failure to provide appropriate documentation of speech therapy services. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Ms. Carter by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Jennie D. Carter, certificate 217535. The Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the grounds listed as "unprofessional conduct." This Consent Order of Public Reprimand shall be posted on the SCDE's web site and shall be maintained

as a public record in the SCDE's Office of General Counsel. The SCDE will expect Ms. Carter to submit proof of completion for the two courses prescribed by the OGC.

AND IT IS SO ORDERED.

South Carolina State Board of Education


Del-Gratia Jones, Chair

Columbia, South Carolina
February 12, 2019

I, Jennie D. Carter aka Beym, S.C. Educator Certificate 217535, 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 understand that the terms set forth in this Consent Order of Public Reprimand are not subject to reconsideration, collateral attack or judicial review. I have read the Consent Order of Public Reprimand, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented to the South Carolina State Board of Education for approval on Tuesday, February 12, 2019. I understand this Consent Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter.


Jennie D. Carter aka Beym

01-07-2019
Date