

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Sean Timothy Maly
Certificate 184542

ORDER OF PERMANENT REVOCATION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on April 13, 2021. On June 7, 2017, the Chair of the State Board summarily suspended Sean Timothy Maly's South Carolina educator certificate. On June 7, 2017, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Mr. Maly regarding the possible suspension or revocation of his South Carolina educator certificate. On February 25, 2021, the SCDE sent Mr. Maly a second notice letter. After Mr. Maly failed to respond to either of the notice letters, the SCDE sent Mr. Maly a final notice letter on March 23, 2021. The SCDE utilized Mr. Maly's address from the Certification Portal System and a search of public records. The SCDE has verified Mr. Maly's address. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Maly has been given fair notice of constitutional due process. Mr. Maly has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented, the State Board voted to permanently revoke Sean Timothy Maly's educator certificate 184542, effective April 13, 2021.

FINDINGS OF FACT

Sean Timothy Maly holds a suspended South Carolina educator certificate and has over five years of teaching experience. At the time Mr. Maly's educator certificate was suspended, he had been employed by Richland County School District Two (District) since August 2014 as a science teacher at Summit Parkway Middle School. On June 5, 2017, the Office Human Resources Officer for the District informed the SCDE of Mr. Maly's arrest on the charge of Criminal Exploitation of a Minor, 2nd degree. The charge stems from an investigation into allegations that Mr. Maly's District laptop computer contained photographs of sexually explicit pictures of minor children. On January 12, 2021, Mr. Maly plead guilty to the charge of Criminal Exploitation of a Minor, 3rd degree. As part of his plea, Mr. Maly will also be placed on the Central Registry of Child Abuse and Neglect.

Mr. Maly has not responded to the notice letters from the SCDE and has not requested a hearing in this matter. The SCDE has considered evidence provided by the District and law enforcement. After considering the evidence presented, the State Board voted to permanently revoke Sean Timothy Maly's educator certificate 184542, effective April 13, 2021.

CONCLUSIONS OF LAW

"The State Board may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2016). Just cause includes "unprofessional conduct, crime against the law of this State or the United States, evident unfitness for position for which employed, and sale or possession of narcotics." S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Ann. Regs. 43-58 (2016). The State Board finds that Sean Timothy Maly engaged in unprofessional conduct, immorality, any conduct involving moral turpitude, and crime against the law of this State or the United States due to the allegations of possession and dissemination of child pornography.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke educator certificate 184542, issued in the name of Sean Timothy Maly, effective April 13, 2021. The permanent revocation of Mr. Maly's educator certificate 184542 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: s/Kristi Woodall
Kristi Woodall, Ed.D., Chair

Columbia, South Carolina
April 13, 2021