BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Disciplinary Action of the Educator Certificate of Brandi Marshay Dendy Certificate 252677	CONSENT ORDER OF PUBLIC REPRIMAND

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 13, 2022. On September 1, 2022, the South Carolina Department of Education (SCDE) sent Brandi Marshay Dendy a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against her educator certificate. Ms. Dendy contacted the SCDE and advised that she desired to waive her right to a hearing to enter into a consent order of public reprimand. After considering the evidence presented, the State Board voted to accept this Consent Order of Public Reprimand.

FINDINGS OF FACT

Ms. Dendy holds a valid South Carolina professional educator certificate and has over nine years of educator experience. She has no prior record of disciplinary action with the State Board. Ms. Dendy was employed by Meeting Street Schools (District) as a teacher at Meeting Street Academy - Spartanburg (School) at the time of the incident.

On May 11, 2021, a student at the School attempted to log in to their account for a spring testing assessment. The computer recorded an irregularity and began the assessment at question thirteen. The test administrators reached out to School information technology staff for assistance. The District team were notified of the issue and an investigation began. The investigation revealed that Ms. Dendy had opened and viewed the test prior to administration. This was in violation of assessment testing procedures and protocols.

Ms. Dendy 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. 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 Ms. Dendy; however, the evidence that would be presented would support a conclusion that Ms. Dendy engaged in unprofessional conduct as a result of violating testing policies and procedures for student assessments. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Ms. Dendy by the State Board.

NOW, THEREFORE, it is ordered that the State Board hereby issues a Public Reprimand to Brandi Marshay Dendy, certificate 252677. 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.

AND IT IS SO ORDERED.

Brandi Marshay Dendy
252677
s/BMD
Initial
11/15/22
Date

South Carolina State Board of Education

s/ Crystal F. Stapleton
Crystal F. Stapleton, Chair

Columbia, South Carolina
December 13, 2022

I, Brandi Marshay Dendy, S.C. Educator Certificate 252677, 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, December 13, 2022. 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. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of "/S/ name" for required website publication.

S/ Brandi Marshay Dendy
Brandi Marshay Dendy

11/15/22
Date

Brandi Marshay Dendy
252677
s/BMD
Initial
11/15/22
Date