

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Tammy Sue Hamilton
Certificate 288688

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2023. On April 27, 2023, the South Carolina Department of Education (SCDE) sent Tammy Sue Hamilton a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against her educator certificate. Ms. Hamilton received the notice on May 16, 2023, as evidenced by signed postal receipt. She has not contacted the SCDE to request a hearing and is now in default. Under the South Carolina Rules of Civil Procedure 5(b), Ms. Hamilton has been given fair notice of constitutional due process. Ms. Hamilton has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Hamilton's educator certificate for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024.

FINDINGS OF FACT

Ms. Hamilton holds a valid South Carolina professional educator certificate. She has over four years of educator experience and has no prior record of disciplinary action with the State Board. At the time of the incident, Ms. Hamilton was a special education teacher at Pendleton Elementary School (School) with Anderson School District Four (District).

On September 25, 2022, School administration emailed District supervisors to report allegations that Ms. Hamilton inappropriately disciplined students during the 2021-22 school year. It was alleged that Ms. Hamilton slapped students, hit students, popped students on the mouth, swatted a student's leg, and allowed a water bottle to be sprayed in students' faces. Ms. Hamilton met with District staff and admitted to tapping students' hands and legs if they scratched or hit her first. She further stated she would hold a students' head if the student refused to look at her. She also denied any knowledge of a spray bottle kept on the teaching

assistant's desk. The District spoke with nine other staff members before concluding that the allegations were well founded.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Ms. Hamilton's educator certificate 288688 for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024.

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 (2020); S.C. Code Ann. § 59-25-160 (2020). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). The State Board finds that the evidence presented demonstrates that Ms. Hamilton engaged in unprofessional conduct by inappropriately disciplining students. The State Board further finds that just cause exists for the suspension of Ms. Hamilton's certification for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024. Now, therefore, it is hereby ordered that the educator certificate of Tammy Sue Hamilton, educator certificate 288688, is suspended for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024.

If Ms. Hamilton wishes to have the certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE's Office of Educator Services. Ms. Hamilton shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Ms. Hamilton'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

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

Columbia, South Carolina
August 8, 2023