

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Whitney Erin Brooke Penland
Certificate 279543

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 13, 2024. On February 28, 2024, the South Carolina Department of Education (SCDE) sent Whitney Erin Brooke Penland a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. The SCDE has verified Ms. Penland's address, the certified letter was returned unclaimed, and the letter sent via regular mail has not been returned. On May 2, 2024, the SCDE informed Ms. Penland via regular mail that the State Board would meet on June 11, 2024, or as soon thereafter as is feasible, to consider action against her educator certificate. Under the South Carolina Rules of Civil Procedure 5(b), Ms. Penland has been given fair notice of constitutional due process. She 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. Penland's educator certificate for a period of one year, commencing on August 13, 2024, and ending on August 12, 2025. Prior to her reinstatement, she must also successfully complete the National Association of State Directors of Teacher Education and Certification (NASDETC) Prevention and Correction course.

FINDINGS OF FACT

Ms. Penland holds a valid South Carolina professional educator certificate. Ms. Penland has over seven years of educator experience and has no prior record of disciplinary action with the State Board. Ms. Penland was employed by Spartanburg School District Six (District) as a Special Services Administrator at Fairforest Middle School (School).

In May 2023, School administration received reports from multiple staff members that Ms. Penland was involved in a relationship with a teaching assistant, over whom she had supervisory authority. When questioned by administrators, Ms. Penland was initially evasive and denied the allegations. In a subsequent interview, she admitted to engaging in an inappropriate relationship with the teaching assistant. She also admitted to sending inappropriate messages to the subordinate employee while at School.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Ms. Penland's educator certificate 279543 for a period of one year, commencing on August 13, 2024, and ending on August 12, 2025. Prior to her reinstatement, she must also successfully complete the NASDETC Prevention and Correction course.

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 Whitney Erin Brooke Penland engaged in unprofessional conduct by engaging in an intimate relationship with a subordinate. The State Board further finds that just cause exists for the suspension of Ms. Penland educator certificate 279543 for a period of one year, commencing on August 13, 2024, and ending on August 12, 2025. Prior to her reinstatement, she must also successfully complete the NASDETC Prevention and Correction course.

Now, therefore, it is hereby ordered that the educator certificate of Whitney Erin Brooke Penland, educator certificate 279543, is suspended for a period of one year, commencing on August 13, 2024, and ending on August 12, 2025. Prior to her reinstatement, she must also successfully complete the NASDETC Prevention and Correction course. If Ms. Penland 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. Penland shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for

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the payment of any applicable reinstatement fees. The suspension of Ms. Penland'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/David C. O'Shields
David C. O'Shields, Chair

Columbia, South Carolina
August 13, 2024