

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator) **CONSENT ORDER OF**
)
Certificate of Marlene L. Stephens) **SUSPENSION**
)
Certificate 145370)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 18, 2011. On October 27, 2010, the South Carolina Department of Education (SCDE) sent notice to Marlene L. Stephens of the possible suspension of her educator certificate by regular and certified mail, return receipt requested. On November 3, 2010, counsel for Mrs. Stephens sent a letter to the SCDE requesting a hearing in this matter. On August 2, 2011, counsel for Mrs. Stephens informed SCDE that Mrs. Stephens had agreed to waive her right to a hearing and accept a suspension of her educator certificate. The suspension of Mrs. Stephens' educator certificate shall commence on August 18, 2011, and end on June 30, 2012. After considering the information presented by the SCDE, the State Board voted to suspend Mrs. Stephens' certificate, commencing on August 18, 2011, and ending on June 30, 2012.

Accepted:
Marlene L.
Stephens
145370

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8-18-11
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FINDINGS OF FACT

Mrs. Stephens holds a valid South Carolina professional educator certificate and has over twenty-two years of teaching experience. She has no prior record of disciplinary action with the State Board.

Mrs. Stephens had been employed by Laurens County School District Fifty-Five (District) since 1988. During the 2010–2011 school year, the District employed Mrs. Stephens as a Guidance Counselor and Career and Technology Education Coordinator at Laurens County School District Fifty-Five High School (School) until her resignation, effective May 4, 2010, following an investigation into allegations that she was arrested in

September 2007, for Theft of a Controlled Substance and in April 2010, for Violation of Drug Distribution Laws.

On December 16, 2008, Mrs. Stephens pled guilty to Attempting to Obtain Prescription Drugs by Fraud and paid a fine of \$100.00 plus court costs. On June 22, 2010, Mrs. Stephens pled guilty to two counts of Obtaining Controlled Substances by Fraud/Violation of Drug Distribution Laws and was sentenced to three years at the State Department of Corrections, suspended upon successful completion of drug court.

On June 22, 2010, Mrs. Stephens enrolled in the Spartanburg County Drug Court Program. While in the Drug Court program, Mrs. Stephens was given random drug tests one to two times per week. She tested negative on all of her random drug tests and never had any violations while in the Drug Court program. On July 5, 2011, Mrs. Stephens successfully completed the Drug Court program and paid all fees and fines. Spartanburg County Drug Court issued an order stating that Mrs. Stephens' sentence had been satisfied. Mrs. Stephens has not been employed as a teacher since her resignation from the District, in May 2010.

Mrs. Stephens acknowledged that she has engaged in unprofessional conduct and has committed crimes against the law of this state. She consents to the suspension of her educator certificate from August 18, 2011 through June 30, 2012, and plans to return to teaching upon the conclusion of the suspension period and the reinstatement of her educator certificate.

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 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp 2010). Just cause includes unprofessional conduct, crime against the law of this state, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented demonstrates that Mrs. Stephens engaged in unprofessional conduct, and committed crimes against the law of this State, as a result of her conviction for Attempting to Obtain Prescription Drugs by Fraud and Violation of Drug Distribution Laws, and that just cause

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exists to suspend Mrs. Stephens' educator certificate. The evidence presented supports the State Board's decision to accept the Consent Order of Suspension.

Now, therefore, it is hereby ordered that the Consent Order of Suspension is accepted and the educator certificate of Marlene L. Stephens, certificate 145370, is hereby suspended, commencing on August 18, 2011, and ending on June 30, 2012. The suspension of Mrs. Stephens' educator certificate 145370 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as unprofessional conduct and crimes committed against the law of this State.

If Mrs. Stephens desires to have her educator certificate reinstated at the conclusion of the suspension period, she shall make a written request to the SCDE's Office of Educator Certification Recruitment and Preparation. Mrs. Stephens shall provide SCDE with documentation of counseling and negative drug screens during the suspension period. Mrs. Stephens must also meet all certification requirements in effect at the time she requests reinstatement and shall be responsible for the payment of all applicable reinstatement fees.

AND IT IS SO ORDERED.

South Carolina State Board of Education



Gerrita Postlewait, Chair

Columbia, South Carolina

August 18, 2011

I, Marlene L. Stephens, S. C. Educator Certificate 145370, have read the Consent Order of Suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina during this suspension period. I agree to the proposed Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented as signed to the South Carolina State Board of Education on August 18, 2011.



Signature

8-18-11
Date