

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Public Reprimand)
)
of the Educator Certificate of)
)
Ruth Ann Cash)
)
Certificate 119192)
_____)

**CONSENT ORDER
OF PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 13, 2011. On July 12, 2011, the South Carolina Department of Education (SCDE) sent a notice of the possible action against her South Carolina educator certificate to Ruth A. Cash by certified mail, restricted delivery, and return receipt requested. The notice letter was returned marked unclaimed. On August 22, 2011, the SCDE sent a notice letter to the Spartanburg County Sheriff's Office requesting service of process on Ms. Cash. On September 16, 2011, Ms. Cash sent a letter to the SCDE requesting a hearing. SCDE scheduled the hearing date regarding this matter for October 19, 2011. Before the hearing date, Ms. Cash agreed to resolve the case without a hearing upon the following terms: (1) a public reprimand will be issued to Ms. Cash by the State Board, and (2) the consent order of public reprimand of the educator certificate of Ms. Cash, certificate 119192, shall be reported to the school districts in South Carolina within thirty days from the date of this order with the reasons stated as "unprofessional conduct and test security violation." After considering the evidence presented, the State Board voted to accept the Consent Order and issued a Public Reprimand to Ms. Cash.

FINDINGS OF FACT

Ms. Cash holds a valid South Carolina educator certificate and has over twenty seven years of teaching experience. She has no prior record of disciplinary action with the State Board. Ms. Cash was employed by the Spartanburg County School District Three (District) as a teacher at Cowpens Middle School (School). On May 12, 2011, Ms.

Accepted:

RAC
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Date:

10-1-2011

Ruth A.
Cash
#119192

Cash committed a test security violation when she coached examinees during PASS testing. Several students mentioned that Mrs. Cash had helped them with the test.

On May 13, 2011, Ms. Cash admitted that during the PASS science and social studies eighth grade testing held on May 12, 2011, she looked at specific questions on her students' tests. Ms. Cash admitted that she told several students to look over test answer items that she knew were not correct. Ms. Cash admitted that she told her students that they were doing a good job on the PASS test. She also admitted that she gave the test book back to one student and told her to look at the last two pages because she knew that some answers were incorrect. Ms. Cash stated that she had not provided any feedback to students for other testing on English Language Arts on May 9, 2011, or Math on May 11, 2011 that she supervised during the PASS testing. The principal questioned several students about Ms. Cash's administration of ELA and Math testing. The students stated that no extra help was provided to them during ELA and Math. On May 17, 2011, the District informed the SCDE that Ms. Cash was honest and forthright about her serious mistake in coaching students. The District stated that Ms. Cash apologized for the incident and voluntarily resigned from her position. The District also informed SCDE that the District had experienced no other disciplinary matters or test security issues with Ms. Cash during her three years of employment with the District.

Accepted:

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Date:

10-1-2011

Ruth Ann
Cash
#119192

On July 12, 2011, the SCDE sent a notice of the possible action against her South Carolina educator certificate to Ms. Cash by certified mail, restricted delivery, and return receipt requested. The notice letter was returned marked unclaimed. On August 22, 2011, the SCDE sent a notice letter to the Spartanburg County Sheriff's Office requesting service of process on Ms. Cash. On or about September 12, 2011, Ms. Cash contacted the SCDE stating she had been served with the notice and wished to discuss the matter. On September 16, 2011, Ms. Cash sent SCDE a letter requesting a hearing to resolve this disciplinary matter. The SCDE scheduled the hearing for October 19, 2011.

Prior to the hearing date, Ms. Cash informed the SCDE that she agreed to waive her right to a hearing and agreed to resolve the case upon the following terms: (1) a public reprimand will be issued to Ms. Cash by the State Board, and (2) the consent order of public reprimand of the educator certificate of Ruth Ann Cash, certificate 119192,

shall be reported to the school districts in South Carolina within thirty days from the date of this order with the reasons stated as "unprofessional conduct and test security violation." Ms. Cash acknowledges that she engaged in unprofessional conduct and committed a test security violation during the administration of the May 2011 Science and Social Studies PASS testing by coaching some of her students. After considering the evidence presented, the State Board voted to accept the Consent Order and issued a Public Reprimand to Ms. Cash.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes unprofessional conduct and violation of the rules and regulations of the State Board of Education. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58.3 & 4 (Supp. 2010). It is unlawful for anyone to knowingly violate State Board security procedures regulations for mandatory tests administered to students, or to knowingly use all or any portion of a secure test booklet in any manner inconsistent with test security regulations. S.C. Code Ann § 59-1-445 (1) (b) (2004). Further, S.C. Code Ann. § 59-1-445 (1) (c) (2004) provides that it is unlawful to coach examinees during testing or alter or interfere with examinees' responses in any way.

The State Board finds that the evidence presented, which is undisputed by Ms. Cash, supports its conclusion that just cause does not exist to suspend or revoke Ruth A. Cash's educator certificate; however, just cause does exist for a Public Reprimand of Ms. Cash's conduct. Ms. Cash acknowledges that her conduct violated the rules and regulations of the State Board. Accordingly, the State Board accepts this Consent Order and issues a Public Reprimand to Ms. Cash. The public reprimand of the educator certificate of Ruth A. Cash, certificate 119192, shall be reported to all school districts in South Carolina within thirty days from the date of this order with the reasons stated as "unprofessional conduct and test security violation."

AND IT IS SO ORDERED.

Accepted:

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Date:

10/27/2011

Ruth A.
Cash
#119192

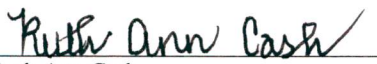
South Carolina State Board of Education



Gerrita Postlewait, Chair

Columbia, South Carolina
October 13, 2011

I, Ruth Ann Cash, SC Educator Certificate #119192, have read the Consent Order of Public Reprimand, consisting of four pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented as signed to the State Board of Education on Thursday, October 13, 2011.



Ruth Ann Cash

October 1, 2011
Date