

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
and Voluntary Surrender of the)
)
Educator Certificate of)
)
Kimberly D. Broughton)
)
Certificate 211653)
_____)

**CONSENT ORDER OF
VOLUNTARY SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 9, 2014. On December 18, 2013, the South Carolina Department of Education (SCDE) sent notice to Kimberly D. Broughton that the State Board would meet to make a determination regarding possible disciplinary action of her South Carolina educator certificate 211653 and her right to a hearing by regular and certified mail, return receipt requested. After Ms. Broughton received the notice, her attorney informed the SCDE that Ms. Broughton desired to waive her right to a hearing and agreed to surrender her educator certificate. Ms. Broughton has agreed to the terms and conditions of the Consent Order of Voluntary Surrender as stated herein.

FINDINGS OF FACT

Ms. Broughton holds a professional educator certificate and has over eleven years of teaching experience. Ms. Broughton has been employed with the Orangeburg Consolidated School District Five (District) since August 5, 2002. During the 2013-2014 school year, the District employed Ms. Broughton as a mathematics teacher at ~~Sheridan Elementary School~~ ^{Bethune-Cowman M/H} (School). On October 28, 2013, the District placed Ms. Broughton on administrative leave during an investigation into a report that Mr. Broughton had pled guilty on October 23, 2013, in federal court to the felony offense of conspiracy to commit mail fraud.

On December 18, 2013, the SCDE sent notice to Ms. Broughton that the State Board would meet to make a determination regarding possible disciplinary action of her South Carolina educator certificate 211653 and her right to a hearing by regular and certified mail, return receipt requested. The notice letter stated that the State Board would review the circumstances

Kimberly
D.
Broughton
211653

KDB
Initial here

4/1/14
Date

surrounding her being placed on administrative leave with the District pending an investigation regarding her guilty plea in federal court to the felony offense of conspiracy to commit mail fraud. Ms. Broughton failed to report the matter to the District and the District became aware of this matter through a local newspaper. After Ms. Broughton received the notice, her attorney informed the SCDE on January 22, 2014, that Ms. Broughton desired to waive her right to a hearing and agreed to surrender her educator certificate.

Ms. Broughton voluntarily agrees to the surrender of her educator certificate 211653 and agrees to the following conditions: (1) her educator certificate will become invalid and revoked immediately upon the approval by the State Board of the Consent Order of Voluntary Surrender; (2) she has waived her right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review; and (4) she agrees that her surrender will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a voluntary surrender and revocation.

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); 2 S.C. Code Regs. 43-58 (2011). Just cause includes: "Unprofessional conduct, dishonesty, crime against the law of this State or the United States, and evident unfitness for position for which employed." S.C. Code Ann. §59-25-160 (2004); 2 S.C. Code Regs. 43-58 (2011). The State Board finds that the evidence presented, which is undisputed by Ms. Broughton, supports the State Board's decision that just cause exists to accept voluntary surrender of educator certificate 211653, issued under the name of Kimberly D. Broughton, and to revoke this educator certificate effective April 9, 2014. Ms. Broughton has waived her right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review. The voluntary surrender and revocation of Ms. Broughton' educator certificate 211653 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

Kimberly
D.
Broughton
211653

KDB

Initial here

4-1-14

Date

AND IT IS SO ORDERED.

South Carolina State Board of Education

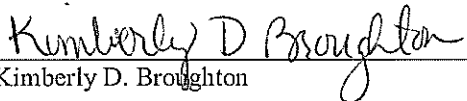
By:

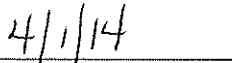

Barry F. Bolen, Chair

Columbia, South Carolina

April 9, 2014

I, Kimberly D. Broughton, S.C. Educator Certificate 211653, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education 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 Agreement are not subject to reconsideration, collateral attack or judicial review; I hereby freely, knowingly and voluntarily surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this surrender shall have the same effect as a revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. 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. I agree to the proposed Consent Order of Voluntary Surrender, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on April 9, 2014.


Kimberly D. Broughton


Date