

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)
)
the Educator Certificate of)
)
Lindsay Bryd Keith)
)
Certificate 193548)
_____)

**ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 13, 2017. On February 28, 2017, the South Carolina Department of Education (SCDE) sent Lindsay Bryd Keith a fifth and final notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate 193548 by certified mail, return receipt, restricted delivery, which was listed by the United States Postal Service as unclaimed, as well as regular mail. Ms. Keith's address was confirmed by her to the SCDE via telephone. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Wong has been given fair notice of constitutional due process. Ms. Keith's regular mail has never been returned to the SCDE and she is now considered to be in default. After considering the evidence presented, the State Board voted to suspend Ms. Keith's educator certificate for a period of one year commencing on June 13, 2017, and ending on June 12, 2018.

FINDINGS OF FACT

Ms. Keith holds a professional educator certificate and has over fifteen years of teaching experience. She began employment with the Charleston County School District (District) in 2000. The District employed Ms. Keith as a kindergarten teacher at Hunley Park Elementary School (School) during the 2014-2015 school year.

In October of 2014, Ms. Keith was told to administer the CIRCLE assessment test to her kindergarten class. Ms. Keith had been trained in test administration and procedures. She voluntarily agreed to the ethics statement as part of the testing manual. All students were to be tested by October 20, 2014. By October 16, 2014, Ms. Keith had failed to administer the test to any of her students. Other teachers testified it took weeks

to properly administer the test to all of their students. However, on October 17, 2014, all of the students in Ms. Keith's class were recorded as having allegedly taken the test.

On October 17, 2014, two teachers approached the Principal of the School to report on the comments and actions of Ms. Keith regarding the CIRCLE test administration for her class. One teacher asserted she had seen Ms. Keith entering answers for the students. During the resulting investigation, several witnesses attested Ms. Keith often complained about the testing and how much classroom time it took. Another teacher recounted Ms. Keith asked her for help with the testing system on the morning of October 17, 2014. When the teacher expressed concern that Ms. Keith had not already begun the testing, the teacher advised Ms. Keith responded, "I'm just gonna have to have to make up answers for my kids and do it all today." When the teacher told Ms. Keith that it had taken her several weeks to administer the test, she responded, "That's why I'm just gonna do it for them."

Ms. Keith advised she tested several students and lost the data. However, no recorded data from the testing computer systems supports that claim. In her statement, Ms. Keith's teaching assistant recounted Ms. Keith had her test several students. If true, this was also against regulations because the teaching assistant was never formally trained in test administration. However, all of Ms. Keith's students had a recorded testing date of October 17, 2014. During that date, Ms. Keith asked several questions of other staffs members regarding her testing login information and how to use the testing software. For the remainder of the day, staff members witnessed Ms. Keith working on the testing software on her iPad without students present.

On January 19, 2017, the SCDE sent Ms. Keith a fourth and final notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate 193548 by certified mail, return receipt, restricted delivery, which was listed by the United States Postal Service as unclaimed, as well as regular mail. Ms. Keith's address was confirmed by her to the SCDE via telephone. Ms. Keith's regular mail has never been returned to the SCDE and she is now considered to be in default. After considering the evidence presented, the State Board voted to suspend Ms. Keith's educator certificate for a period of one year commencing on June 13, 2017, and ending on June 12, 2018.

CONCLUSIONS OF LAW

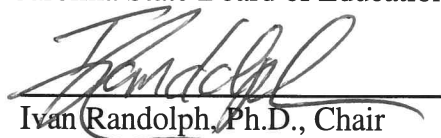
“The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct, dishonesty, and willful violation of the rules and regulations of the State Board of Education. S.C. Code Ann. § 59-25-160 (2016). The State Board finds that the evidence presented by the SCDE demonstrates that Ms. Keith engaged in unprofessional conduct, dishonesty, and willfully violated the mandatory test security rules and regulations pursuant to S.C. Code Ann. § 59-1-445 (2016) and 2 S.C. Code Ann. Regs 43-100 (X) (2016). The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Lindsay Bryd Keith on the grounds of unprofessional conduct, dishonesty and willful violation of the test security rules and regulations of the State Board of Education, for a period of one year commencing on June 13, 2017, and ending on June 12, 2018.

Now, therefore, it is hereby ordered that the educator certificate of Lindsay Bryd Keith, certificate 193548, is suspended for a period of one year commencing on June 13, 2017, and ending on June 12, 2018. If Ms. Keith wishes to have her 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. Keith 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. Keith’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

By:


Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
June 13, 2017