

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Timothy Ryan Sheaffer
Certificate 275861

Order of Summary Suspension

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on March 2, 2022. In accordance with S.C. Code Ann. § 1-23-370(c) (2017), § 59-5-10 (2017), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of Timothy Ryan Sheaffer, educator certificate 275861, as a result of his arrest on the felony charge of 2nd degree sexual exploitation of a minor, S.C. Code Ann. §16-15-405(A).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Sheaffer may pose a threat to the health, safety, and welfare of students, who may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Sheaffer's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Sheaffer of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Sheaffer holds a South Carolina educator certificate and has over three years of educator experience. According to SCDE records, it appears that Mr. Sheaffer has not worked in a South Carolina school since 2019.

On or about February 18, 2022, Mr. Sheaffer was arrested for sexual exploitation of a minor, 2nd degree. It is alleged that Mr. Sheaffer distributed a twelve second video depicting a young female child in a state of sexually explicit nudity with two adult males. The incident was

reported to the Beaufort County Sheriff's Office by the SC Attorney General's Office of Internet Crimes Against Children, who received the initial report from the National Center for Missing and Exploited Children.

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. Sheaffer may pose a threat to the health, safety, and welfare of students who may be under his instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. Sheaffer's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Sheaffer of the summary suspension, as well as the possible suspension or revocation of his 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 (2017); S.C. Code Ann. § 59-25-160 (2017). 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 (2017); 24 S.C. Code Regs. 43-58 (2017). In accordance with S.C. Code Ann. § 1-23-370(c) (2017), "If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann. § 59-5-10 (2017) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. Sheaffer's unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, there is reason to believe Mr. Sheaffer may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of Timothy Ryan Sheaffer, certificate number 275861, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. Sheaffer of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

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AND IT IS SO ORDERED.

South Carolina Board of Education

BY: s/Alan Walters
Alan Walters, Chair

Columbia, South Carolina
March 2, 2022