

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Virginia Bench Fortney
Certificate 229085

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 3, 2025. On April 3, 2025, the South Carolina Department of Education (SCDE) sent Virginia Bench Fortney a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Fortney received the notice on May 3, 2025, as evidenced by signed postal receipt. She has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Virginia Bench Fortney's educator certificate for a period of two years, commencing on June 3, 2025, and ending on June 2, 2027.

FINDINGS OF FACT

Virginia Bench Fortney holds a valid South Carolina professional educator certificate. Ms. Fortney has over twelve years of educator experience and has no prior record of disciplinary action with the State Board. Ms. Fortney was employed by Anderson School District 4 (District) as a special education teacher, at Pendleton Elementary School.

On March 24, 2023, allegations were raised that Ms. Fortney made inappropriate comments about one of her special needs students as well as racial comments about two other students. She did not acknowledge making such statements but admitted she might have because she frequently teased students. She was counseled about this behavior. On August 3, 2023, she grabbed a student by the arm in an aggressive manner and made further inappropriate comments about students. Ms. Fortney ultimately resigned her position with the District during the investigation of this matter.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Virginia Bench Fortney's educator certificate 229085 for a period of two years, commencing on June 3, 2025, and ending on June 2, 2027.

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 (Rev. 2004); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Regs. 43-58 (2016). The State Board finds that the evidence presented demonstrates that Virginia Bench Fortney engaged in unprofessional conduct by inappropriate conduct and remarks towards and in the presence of students. The State Board further finds that just cause exists for the suspension of Virginia Bench Fortney's educator certificate 229085 for a period of two years, commencing on June 3, 2025, and ending on June 2, 2027.

Now, therefore, it is hereby ordered that the educator certificate of Virginia Bench Fortney educator certificate 229085, is suspended for a period of two years, commencing on June 3, 2025, and ending on June 2, 2027.

If Ms. Fortney wishes to have the 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. Fortney 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 Virginia Bench Fortney'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

s/David Mathis
David Mathis, Chair-Elect

Columbia, South Carolina
June 3, 2025