

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)
Complaint 2015-001)

Timothy Gibbs,)
Respondent.)

CONSENT ORDER

State Ethics Commission,)
Complainant.)

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on July 7, 2014. The complaint against the Respondent, Timothy Gibbs, was considered by the Commission on September 17, 2014 and probable cause found to warrant an evidentiary hearing.

Prior to the call of the case Respondent agreed to entry of the following statements of fact, conclusions of law, admission, discussion, and disposition in this matter as follows.

STATEMENT OF FACTS

1. The Respondent, Timothy Gibbs, is and at all times relevant was, the principal of Hannah-Pamplico High School, a Florence County School District Two high school.
2. Staff met with the Florence County School District Two Superintendent, Mr. Robert A. Sullivan. Mr. Sullivan said that Respondent was responsible for assessing the need for faculty and staff development at Hannah-Pamplico High School. Mr. Sullivan said that Respondent made the decision to hire a consulting firm identified as, "Developing Educators and Leaders through Innovation Consulting" (D.E.L.I.), to conduct faculty and staff development workshops. Mr. Sullivan stated that based

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Respondent's recommendation, he approved the funding for D.E.L.I. Consulting. Mr. Sullivan said that he was not involved in contacting any outside consultants to conduct faculty and staff development programs at the high school. Mr. Sullivan stated that the only company that Respondent recommended for faculty and staff development at the high school was D.E.L.I. Consulting. Mr. Sullivan said that he knew that Respondent's sister, Dr. Portia Gibbs-Roseboro, was the lead consultant and owner of D.E.L.I. Consulting. He said that Dr. Gibbs-Roseboro and Respondent lived in the Pamplico area when they were children and they both graduated from Hanna-Pamplico High School. Mr. Sullivan said that he was advised by both faculty and staff at the district that Dr. Gibbs-Roseboro and her staff provided district employees with excellent training.

3. Mr. Sullivan stated that according to district policy funding for instructional training seminars or staff development programs does not require school board approval, and bids from multiple vendors are not required. Mr. Sullivan said that the district wrote checks to Dr. Gibbs-Roseboro for staff development training, and she paid her staff from those funds.

4. A review of service contracts between D.E.L.I Consulting and Hannah-Pamplico High School revealed that both Dr. Gibbs-Roseboro and Superintendent Sullivan signed the contracts for staff development training. The service contracts documented that training workshops were conducted between August 2011 and February 2014.

5. A review of a Florence School District Two Vendor Activity Report related to Dr. Gibbs-Roseboro's contracts with the District revealed the following information and t

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should be noted that the August 14, 2013 payment included workshops that were conducted between August 2013 and February 2014:

| Invoice Date: | Check number: | invoice amount: |
|---------------|---------------|--------------------|
| 08/12/2011 | 38400 | \$2,400.00 |
| 10/12/2011 | 38771 | \$1,000.00 |
| 01/12/2012 | 39266 | \$1,000.00 |
| 02/08/2012 | 39420 | \$1,000.00 |
| 03/29/2012 | 39719 | \$1,800.00 |
| 08/17/2012 | 40354 | \$8,000.00 |
| 08/14/2013 | 42286 | \$8,000.00 |
| | | Total- \$23,200.00 |

CONCLUSIONS OF LAW

Based upon the foregoing Statement of Facts, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Timothy Gibbs, was a public employee as defined by S.C. Code Ann. § 8-13-100(25)(Supp. 2013).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public employee from knowingly using his official position to obtain any economic interest for a family member.
4. Section 8-13-700(B) prohibits a public employee from using his official position on a matter in which he or a family member has an economic interest.
5. Section 8-13-100(15) defines 'family member' as an individual who is a sibling.



ADMISSIONS

The Respondent, Timothy Gibbs, admits he violated Sections 8-13-700(A) and 8-13-700(B) of the Ethics Reform Act.

DISPOSITION

The State Ethics Commission hereby finds Timothy Gibbs in violation of Sections 8-13-700(A) and 8-13-700(B) of the Ethics Reform Act and hereby adopts the Statement of Facts, Conclusions of Law, Admissions, Discussion, and Disposition as agreed upon by Respondent.

THEREFORE, the State Ethics Commission hereby issues a written warning to Timothy Gibbs for violation of Sections 8-13-700(A) and 8-13-700(B) of the Ethics Reform Act,

AND, orders Respondent not to use his official office to obtain an economic interest for a family member,

AND, orders Respondent to pay an administrative fee of \$400.00 within 60 days of receipt of the signed order,

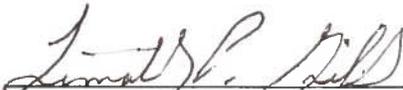
AND IT IS SO ORDERED THIS 19th DAY OF November 2014.

STATE ETHICS COMMISSION



~~JAMES H. BURNS~~
Chairman

James Warren



Timothy Gibbs
Respondent