

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
RECEIVED AUG 18 '22 AM 11:09

FOR COMMISSION USE ONLY:

CASE NUMBER

C. 2022-094

COMPLAINT FORM

COMPLAINANT: Ken Phillips

RESPONDENT: Tifani Moore

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE:

TITLE: Trustee, Lexington Richland Five Schools

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

Please see attached

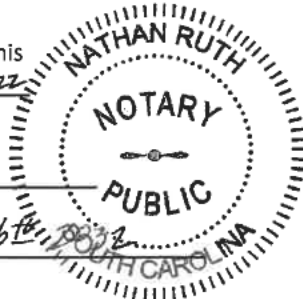
If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA  
COUNTY OF Richland

Personally appeared before me Ken Phillips who, first being duly sworn, says that he/she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this 15 day of August, 2022

[REDACTED]



[REDACTED]

Complainant Signature

Notary Public for South Carolina  
My Commission expires June 16th, 2023

SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192  
ELECTRONIC COPIES WILL NOT BE ACCEPTED

C102form

**South Carolina Ethics Commission Complaint - Tifani Moore – Trustee, Lexington-Richland 5**

(To prevent future abuses, it is requested that this Complaint be given immediate attention. It is anticipated that Ms. Moore will file for re-election to the Lexington-Richland 5 board before the deadline on August 15, 2022.)

**POTENTIAL VIOLATIONS**

1. **Section 2-13-1510** Civil and criminal penalties for late filing of or failure to file report or statement required by this chapter;

2. **SC Ethics Commission Advisory SEC AO2003-003**

*“Clearly, a public employee may not use his government computer to e-mail campaign literature to other public employees or private citizens.*

*AND*

*Conclusion: Accordingly, the State Ethics Commission finds that a person knowingly sending an e-mail which contains campaign material to a public employee on his government computer is in violation of the Ethics Reform Act.”*  
*(8-13-765, 8-13-1346)*

**Late Filing of or Failure to File Report:**

As of July 24, 2022, no Campaign Disclosure Reports (CDR) have been filed for:

- 4<sup>th</sup> Quarter 2021
- 1<sup>st</sup> Quarter 2022
- 2<sup>nd</sup> Quarter 2022

There may also be issues with campaign disclosures that have been filed, particularly the 2021 Pre-Election CDR.

Pre-Election CDR due 9/27/21 filed 9/28/21 for Ms. Moore’s stated period ending on 9/22/21 (Special Election Date 10/12/21)

- 9/28/21 Original Pre-Election CDR reported zero contributions between the Initial CDR (amended 10/6/21) and Ms. Moore’s stated period ending 9/22/21;
- 10/6/21 Amendment #1 (more than 5 days after grace period) – Amended to add 101 contributions totaling over \$6,655.00;\*
- 10/14/21 Amendment #2 – Amended to add 1 contribution (\$100.00) received on 9/22/21.

\*Many contribution entries seem to be duplicates.

**Use of Public Employee and Government Materials and Equipment:**

Per the Attached exhibits, found in the 11/22/21 SCFOIA response from Lexington-Richland 5 at

- A. Tifani Moore, while campaigning, sent an email to husband Mr. Chris Moore's government email address on 8/12/2021 at 3:21:41pm. This date, 8/12/2021, per the district's official calendar, was a Staff Development/Teacher Workday. This email contains a request from Ms. Moore to *"Please print if you are able"* 5 documents. The documents contain *questions* that mirror the questionnaire emailed to school board candidates by Lexington- Richland 5 Education Association (LR5EA) in August 2021. The *answers* are posted on Ms. Moore's campaign Facebook page. As such, Ms. Moore knowingly sent an email containing campaign material to a public employee on his government computer. Furthermore, since the email was sent to Mr. Moore at his work email and during working hours, it appears the request was also a request for the public employee to print election campaign materials using the government's equipment. It is impossible from the email to tell how many copies were printed but the Ethics Commission could inquire with the district. (*Exhibit 1, Exhibit 2, Exhibit 6*)
- B. Tifani Moore, while campaigning, sent an email to Mr. Moore's government email address on 8/23/2021 at 3:20:09pm. This date, 8/23/2021, per the district's official calendar was a School Day. This email contains a request from Ms. Moore to *"Please print this one instead please"* and the content she is asking to print is clearly campaign material. In fact, Ms. Moore can be *seen* and *heard* reading from this exact document at the school board meeting that night. (Scroll to 5:46 [https://www.youtube.com/watch?v=fw0Vkxs95XI&list=PLI9eR\\_8HyUjDg6wOL\\_P40d9lsA31yMIG1&index=4](https://www.youtube.com/watch?v=fw0Vkxs95XI&list=PLI9eR_8HyUjDg6wOL_P40d9lsA31yMIG1&index=4)) As such, Ms. Moore again knowingly sent an email containing campaign material to a public employee on his government computer. Furthermore, since the email was sent to Mr. Moore at his work email and during working hours, it appears the request was also a request for the public employee to print election campaign materials using the government's equipment. It is impossible from the email to tell how many copies were printed but the Ethics Commission could inquire with the district. (*Exhibit 4*)
- C. It is also believed that Tifani Moore, while campaigning, had additional email communication with Mr. Moore's on 8/23/2021 on or about 12:40:48pm at his government email address and that communication was not included in the district's SCFOIA response. The communication would be the same as the email shown in Exhibit 3 -- Mr. Moore's email containing an attachment labeled *"TM School Board Speech"* that he sent on 8/23/2021 at 12:40:48pm to his government email address during the school day from his government email address. The content in Mr. Moore's email is also the exact same content in the email in referenced in "B." above (*Exhibit 4*) that Ms. Moore sent to Mr. Moore later that afternoon with the subject line *"Please print this one instead please"*. However, the later version excluded the following text:

First sentence - *"My name is Tifani Moore and I am running for D5 School Board"*

Last paragraph - *"My name is Tifani Moore and I am running for D5 School Board and I support diversity and am committed to bringing much-needed balance to our board. I would appreciate your vote on October 12<sup>th</sup>"*

As such, Ms. Moore again knowingly sent an email containing campaign material to a public employee on his government computer. Furthermore, since the email was sent to Mr. Moore at his work email and during working hours, it appears the public employee was to print election campaign materials using the government's equipment. It is impossible from the email to tell how many copies were printed but the Ethics Commission could inquire with the district. *(Exhibit 3)*

Tifani Moore, while campaigning, emailed Robin Hardy, then Principal of Irmo High School at her government email address on 8/31/2021 at 3:03:52pm. While Ms. Moore's email is ostensibly to request a tour of the high school, she states, "I'm very passionate about supporting all of our admins, teachers and students..." and "I'm shocked that more isn't being done from our board to make these changes happen faster." Stating she is "passionate" and complaining that "more isn't being done by our board" is campaign language and clearly outside the purported goal of a simple tour. *(Exhibit 5)*

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**Please print if you're able**

Exhibit 1 (D5 SCFOIA)

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email: "[REDACTED] Tifani Moore"

Thursday, August 12, 2021 at 3:21:41 PM Eastern Daylight Time

To: email: "cmoore@lexrich5.org Chris Moore" , email: [REDACTED] James Moore"

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**Attachments:**

**IMG\_0754.JPG** 273k

**IMG\_0755.JPG** 333k

**IMG\_0756.JPG** 338k

**IMG\_0757.JPG** 280k

**IMG\_0758.JPG** 428k

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1. What are your top three priorities for L-R 5 schools? **[Go with the first three and leave off the “balance” on the website. Would not lift statements, but paraphrase the sections in a single phrase, at most a sentence]**
2. Aside from competitive pay, what do you propose that D5 should do to attract and retain teachers? **LR5 has maintained very productive relationships with area universities that has resulted in a strong pipeline of educators entering our schools. Much of the desire to work in the district is a result of ongoing efforts to build teacher professional development, both preservice and inservice, into the life of our schools. That is a great thing. The teacher shortage though, both within our state and beyond, is largely the result of teachers leaving the profession prior to retirement. We have to ensure that beginning teachers engage in mentoring programs that are proven to support them in staying in the classroom. We have to provide opportunities for teachers to engage in leadership without leaving the classroom, and we have to ensure that we, as a community and a school board, do all we can to support the teaching profession so that our children are served well.**

3. Do you support or oppose increasing local contributions towards salaries for education so that they are nationally competitive? If in support, what proposals would you make or support to achieve this? **Younger generations are more comfortable with moving frequently and over greater distances than ever before. LR5 isn't just competing with other Midlands districts for hires, we are competing with North Carolina and Georgia. Time and again compensation is among the top reasons teachers choose to leave the profession. If we are to create a stable workforce, we have to invest in strong, competitive salaries for our educators that allow us to attract and retain the best educator workforce in the state.**
4. Education Support Professionals are our support staff like instructional assistants, bus drivers, custodial staff, etc. Many of these essential workers have to work more than one job to make ends meet. How do you propose to ensure that ESP can thrive in our district? **There are likely a variety of ways in which this could be addressed, including increased compensation, opportunities for workplace advancement, investment in professional and technical education that all work to ensure ESPs have the resources needed to thrive in LR5.**

5. Do you support or oppose vouchers or tuition tax credits for parents sending their children to private, parochial or home schools? Exhibit 1 D6 SCFOIA **The taxes we pay are intended to support the collective good of our society. We all take advantage of roadways to travel to school, work, vacation, etc. We have designated roads as a shared, collective interest. In the same way, our public schools exist as a collective interest - to educate all of our children so that they have a multitude of opportunities in their adult lives. Disinvestment in public schools to invest public dollars in private schools undermines the notion of a collective good. It would be like developing your own private roadway system at the expense of the existing one. Only a few would have access to the private system, it might not be any better and could in fact be worse, and it most certainly hurts the collective good.**
6. **What are your views on charter schools? As with anything else, there are finite resources available to support education. The more spread out those resources, the more difficult it becomes to adequately fund any one priority. Our best path forward is to invest in the schools we have and expand upon LR5's rich history as a leader in education in our state.**

8. How would you like to see District 5 proceed with redistricting? **Community schooling is powerful. In that, local communities, in conjunction with district and school leaders, are able to address the unique needs of each community. While we are one district, there is no doubt that needs vary from one community to another within LR5. Redistricting should recognize the power community prioritization and seek to organize redistricting that supports local needs while addressing current and forecasted population changes in our area.**
9. What does the term transparency mean to you regarding the D5 Board of Trustees? **First, state law demands transparency on the part of school boards. But we shouldn't use state law as the threshold for success - we must provide the community with open dialogue as well as open discussions of justifications for decisions. Each board member carries a responsibility to their constituency to justify votes and listen to the input of members of the community, including LR5 employees.**

10. Are you in favor of standing committees for the Board of Trustees? Why or why not? Exhibit 1 D5 SCFOIA **The South Carolina School Board Association has recommended against the use of standing committees. I look forward to hearing more about both the justification for the SCSBA recommendation, as well as the recommendation for standing committees among some in LR5. Our district doesn't operate on an island, so learning best practices from others is critical. It is also important to note where LR5 is unique and it's needs are different from other communities, and whether or how standing committees serve to address our unique qualities.**
11. What should be the district's response in DHEC and/or the State Dept of Ed enact requirements or guidance for health emergencies, including but not limited to Covid-19? What steps should D5 take to keep educators, students and the community safe during a health emergency as mentioned above? **When the district needs legal advice, it relies on attorneys, when it needs instructional expertise, it relies on educators. When we face a public health emergency, such as COVID-19, we must rely on the guidance of public health experts. The board's role is ensuring that it is collecting the right expertise for the question at hand.**
12. Would you support policies or legislation that gives teachers more power over their contracts and prevents them from being "blackballed"? **Teachers are professional educators and need to be treated as such. Contracts should clearly delineate the scope of expectations and include as much professional agency as possible.**

From: <[kawamoto72@gmail.com](mailto:kawamoto72@gmail.com)>  
Date: Wednesday, August 18, 2021  
Subject: 2021 LexRich5 School Board Candidate Questionnaire  
To: [REDACTED]

Having trouble viewing or submitting this form?

[FILL OUT IN GOOGLE FORMS](#)

A reminder to please fill out our candidate questionnaire for the District 5 special election. We use these to determine our voting recommendations to our membership. Since there was a communication mix up with a candidate, we can accept responses up until midnight Thursday, August 19. Thank you!

### 2021 LexRich5 School Board Candidate Questionnaire

The School Board Questionnaire reflects the interests and positions of the Lexington-Richland 5 Education Association (LR5EA) on issues affecting public education and employment in School District Five of Lexington and Richland Counties.

**Email \***

**Candidate's Name \***

**Campaign Mailing Address \***

**Phone \***

**Preferred Email Address (Only if different from above email)**

**Would you accept a campaign contribution from The SCEA (our parent organization) if applicable. \***

- Yes
- No

**1. What are your top three priorities for Lexington-Richland Five Schools? \***

**2. Aside from competitive pay, what do you propose that District 5 should do to attract and retain teachers? \***

**3. Do you support or oppose increasing local contributions towards salaries for educators so that they are nationally competitive? If in support, what proposals would you make or support to achieve this? \***

**4. Education Support Professionals (or ESP in LR5EA parlance) are our support staff like instructional assistants, bus drivers, cafeteria workers, secretaries, custodial staff, etc. Many of these essential workers have to work one or two other jobs to make ends meet. How do you propose to ensure that ESP can thrive in our district? \***

**5. Do you support or oppose vouchers or tuition tax credits for parents sending their children to private, parochial or home schools? \***

Support

Oppose

**6. What are your views on charter schools? \***

**7. We consider essential staff in administration, custodial, cafeteria and bus transportation as being educators since students often reach out to those school employees. What are your views on contracting these essential services out to third party companies from the private sector? \***

**8. How would you like to see District 5 proceed with redistricting? \***

**9. What does the term transparency mean to you regarding the D5 Board of Trustees? \***

**10. Are you in favor of standing committees for the Board of Trustees? Why or why not? \***

**11. A) What should be the district's response if DHEC and/or the State Department of Education enact requirements or guidance for health emergencies, including but not limited to, Covid-19? B) What steps should D5 take to keep educators, students and the community safe during a health emergency as mentioned above? \***

**12. Would you support policies or legislation that gives teachers more power over their contracts and prevents them from being "blackballed"? \***

- Yes
- No
- I need to study the issue further.

**13. How should the district address questions of racial equity and inclusive policies overall for both students and staff? \***

**14. Please describe your views of the Lexington-Richland 5 Education Association, its relationship with the school board members and LR5EA's role in the district? Would you be willing to meet with our representatives if elected? \***

**15. Who would you contact to gain information regarding education issues in the District and do you support asking input from practicing educators and their representatives during decisions? \***

**16. Optional - Please use this space to share something that is important to you but may not have been covered by our questions.**

Submit

Never submit passwords through Google Forms.

Exhibit 2 Other Docs

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## The local THE SCEA meeting, LR5EA September 30 at 6pm via zoom

email: [REDACTED] Peter Lauzon" Thursday, September 23, 2021 at 9:03:18 PM Eastern Daylight Time  
To: email: [REDACTED] Peter Lauzon" , email: [REDACTED] Sherry East" , email: [REDACTED] Kaneale  
Cornell" , email: [REDACTED] Albert Jones"  
Bcc: email: "yrose@lexrich5.org"

Good Evening Educators,

We are having a short zoom meeting ( see below for the invite) to organize for the Board of Trustees Special election. John Kawamoto is organizing our efforts in support of Tifani Moore. Our LR5EA has recommended Ms. Moore for many reasons. If you cannot attend Thursday evening and you live in Richland County we ask that you vote for **Tifani Moore on October 12.**

You are also invited to The SCEA Midlands group social at WECO on October 8. It is Outdoors. Members are able to have a free meal and Meet our New staff person Kaneale Cornell.

Peter Lauzon is inviting you to a scheduled Zoom meeting.

Topic: LR5EA September 30 Meeting  
Time: Sep 30, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/97505422636?pwd=WG5CME5TZkhqVVU1NEw3Y2QzdWswQT09>

Meeting ID: 975 0542 2636

Passcode: 241768

One tap mobile

+16465588656,,97505422636# US (New York)

+13017158592,,97505422636# US (Washington DC)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 975 0542 2636

Find your local number: <https://zoom.us/u/aeJjSyP6gr>

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# Print this one instead please

Exhibit 4 (D5 SCFOIA)

email: [REDACTED] Tifani Moore"  
To: email: "cmoore@lexrich5.org Chris Moore"

Monday, August 23, 2021 at 3:20:09 PM Eastern Daylight Time

Good Evening,

My name is Tifani Moore. I reside in Irmo and am the mother of three children attending schools at Crossroads Intermediate and Dutch Fork High School. My husband is a dedicated teacher and coach in this district. I volunteer in this district. I love my community.

One of the things I love most about this community is Irmo's rich diversity. We have families from ALL backgrounds. You will find a variety of ethnic, cultural, religious and socio- economic; lending to very different opinions and life perspectives. And that is a good thing. That is something we should all embrace and celebrate.

Diversity in a community is important but diversity on a school board is imperative. And lack of diversity, intended or not, brings division.

Every school, student, teacher, and member of the community deserves to be represented in our district. They deserve to have a voice and feel heard.

This board will not regain community support and respect until there is a balance and fair representation, for all students, for all teachers, and all schools, regardless of your street address and regardless of what school you are zoned for.

Tifani Moore

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**No subject**

Exhibit 3 (D5 SCFOIA)

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email: "cmoore@lexrich5.org Chris Moore"  
To: email: "cmoore@lexrich5.org"

Monday, August 23, 2021 at 12:40:48 PM Eastern Daylight Time

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**Attachments:**

TM School Board Speech.pdf 61k

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Good evening.

My name is Tifani Moore and I am running for D5 School Board. I reside in Irmo and am a mother to three children attending schools at Crossroads Intermediate and Dutch Fork High School. My husband is a dedicated teacher and coach in this district. I volunteer in this district. I love my community.

One of the things I love most about my community is Irmo's rich diversity. We have families from all backgrounds. You will find a variety of ethnic, cultural, religious, and socio-economic - lending to very different opinions and life perspectives. And that is a *good* thing. That is something we should *all* embrace and celebrate.

**Diversity in a community is important, but diversity on a school board is *imperative*.** And lack of diversity, intended or not, brings division.

Every school, student, teacher and member of the community deserves to be represented in our district. They deserve to have a voice and feel heard. Chapin Schools are *thoroughly* represented on this board. It's past time for other opinions to be heard. This board will not regain community support and respect until there is balance and fair representation, for all students and schools. Regardless of your street address and regardless of which school you are zoned for.

My name is Tifini Moore and I am running for D5 School Board and I support diversity and am committed to bringing much-needed balance to our board. I would appreciate your vote on October 12th.

# School Tour

Exhibit 5 (D5 SCFOIA)

email: [REDACTED] Tifani Moore"  
To: email: "rlhardy@lexrich5.org"

Tuesday, August 31, 2021 at 3:03:52 PM Eastern Daylight Time

Good Afternoon,

I hope this email finds you well and your week off to a great start.  
As you may be aware, I'm currently running for the LR5 special election to be held October 12, 2021.

I wanted to reach out to see if it was possible to have a tour of Irmo High School? I'm very passionate about supporting all of our admins, teachers, and students and feel that being able to walk the halls and see what's happening will help me better understand what they need. We can't assume what's best for one school is best for another.

I've seen the 2019 Assessment and as a parent in D5, I'm shocked that more isn't being done from our board to make these changes happen faster.

I hope to hear from you soon.

Best in Health,

Tifani Moore

email: "rlhardy@lexrich5.org Robin Hardy"  
To: email: [REDACTED] Tifani Moore"  
Bcc: email: "rlhardy@lexrich5.org Robin Hardy"

Wednesday, September 1, 2021 at 3:21:27 PM Eastern Daylight Time

Greetings,

Thank you for contacting me. I truly appreciate your care and support. I would be happy to give you a tour of our school. With current COVID mitigation at "Level Orange," we would need to arrange a time when the majority of students are off campus. Will you please send me some scheduling options ~ maybe three dates for any time after 4:00 for us to connect? I look forward to meeting you.

With Irmo Pride,

Dr. Robin L. Hardy, Proud Principal  
Irmo High School International School for the Arts  
803.476.3010 (school)  
803.237.3411 (cell)



On Tue, Aug 31, 2021 at 3:03 PM Tifani Moore [REDACTED] wrote:  
Good Afternoon,

STATE ETHICS COMMISSION  
RECEIVED AUG 18 2022 AM 11:09

POSTNET barcode

State Ethics Commission  
201 Executive Center Drive  
Suite 150  
Columbia, South Carolina 29210



Columbia P&DC 290  
MON 15 AUG 2022 AM

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2022-094 )  
Ken Phillips )  
    Complainant. )  
Tifani Moore )  
    Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**NOTICE OF HEARING**

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, February 20, 2025 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

**COUNT ONE**  
**FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to file a January 10, 2022 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

**COUNT TWO**  
**FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in

Richland County, fail to file an April 10, 2022 CDR, in violation of Section 8-13-1308(B).

**COUNT THREE**  
**FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to file a July 10, 2022 CDR, in violation of Section 8-13-1308(B).

**COUNT FOUR**  
**FAILURE TO FILE CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to file a January 10, 2023/Final CDR, in violation of Section 8-13-1308(B).

**COUNT FIVE**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report five (5) campaign contributions at or below \$100.00 on her 2021 Pre-Election CDR, in violation of Section 8-13-1308(F).

**COUNT SIX**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report one (1) campaign contribution at or below \$100.00 on her Quarter 4 2021 CDR, in violation of Section 8-13-1308(F).

**COUNT SEVEN**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report three (3) campaign contributions at or below \$100.00 on her

Quarter 3 2022 CDR, in violation of Section 8-13-1308(F).

**COUNT EIGHT**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a September 29, 2022 campaign contribution from Matt Hogan in the amount of \$250.00, in violation of Section 8-13-1308(F).

**COUNT NINE**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTION**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report an October 20, 2022 campaign contribution from Eleanor Hare in the amount of \$500.00, in violation of Section 8-13-1308(F).

**COUNT TEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a July 1, 2022 campaign expenditure to Five Below in the amount of \$60.39, in violation of Section 8-13-1308(F).

**COUNT ELEVEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a September 19, 2022 campaign expenditure to Godaddy.com in the amount of \$76.91, in violation of Section 8-13-1308(F).

**COUNT TWELVE**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report an October 26, 2022 campaign expenditure to Amazon in the amount of \$12.95, in violation of Section 8-13-1308(F).

**COUNT THIRTEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report an October 27, 2022 campaign expenditure to Amazon in the amount of \$110.69, in violation of Section 8-13-1308(F).

**COUNT FOURTEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 8, 2022 campaign expenditure to Publix in the amount of \$22.75, in violation of Section 8-13-1308(F).

**COUNT FIFTEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 9, 2022 campaign expenditure to Walmart in the amount of \$20.67, in violation of Section 8-13-1308(F).

**COUNT SIXTEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report three (3) November 9, 2022 campaign expenditures to Venmo

totaling \$160.00, in violation of Section 8-13-1308(F).

**COUNT SEVENTEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 9, 2022 campaign expenditure to Jaiven Martinez in the amount of \$100.00, in violation of Section 8-13-1308(F).

**COUNT EIGHTEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 9, 2022 campaign expenditure to Ethan McElwain in the amount of \$140.00, in violation of Section 8-13-1308(F).

**COUNT NINETEEN**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 10, 2022 campaign expenditure to Venmo in the amount of \$50.00, in violation of Section 8-13-1308(F).

**COUNT TWENTY**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 10, 2022 campaign expenditure to PayPal in the amount of \$110.00, in violation of Section 8-13-1308(F).

**COUNT TWENTY-ONE**  
**FAILURE TO REPORT CAMPAIGN EXPENDITURE**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to report a November 30, 2022 campaign expenditure to LRADAC in the amount of \$590.00, in violation of Section 8-13-1308(F).

**COUNT TWENTY-TWO**  
**FAILURE TO DEPOSIT CONTRIBUTION INTO CAMPAIGN BANK ACCOUNT**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to deposit nine (9) campaign contributions into her campaign bank account, in violation of Section 8-13-1312.

**COUNT TWENTY-THREE**  
**FAILURE TO MAKE CAMPAIGN EXPENDITURE FROM CAMPAIGN BANK**  
**ACCOUNT**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to make an October 1, 2021 campaign expenditure to GoDaddy.com in the amount of \$66.20 from her campaign bank account, in violation of Section 8-13-1312.

**COUNT TWENTY-FOUR**  
**FAILURE TO TIMELY DEPOSIT CONTRIBUTION INTO CAMPAIGN BANK**  
**ACCOUNT**  
**SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, fail to deposit three (3) campaign contributions within ten (10) days of receipt, in violation of Section 8-13-1312.

**COUNT TWENTY-FIVE**  
**CASH WITHDRAWAL EXCEEDING LIMITATION**  
**SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in

Richland County, withdrawal \$200.00 in cash from her campaign bank account on November 29, 2022, in violation of Section 8-13-1348(E).

**COUNT TWENTY-SIX**  
**IMPROPER DISBURSEMENT OF UNEXPENDED CAMPAIGN FUNDS**  
**SECTION 8-13-1370, S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, improperly expend \$7.56 of unexpended campaign funds, in violation of Section 8-13-1370.

**COUNT TWENTY-SEVEN**  
**USE OF GOVERNMENT PERSONNEL OR FACILITIES FOR CAMPAIGN**  
**PURPOSES**  
**SECTION 8-13-765, S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, send an email to Respondent's husband's district email on August 12, 2021 requesting him to print a questionnaire regarding Respondent's position on matters concerning the district, in violation of Section 8-13-765.

**COUNT TWENTY-EIGHT**  
**USE OF GOVERNMENT PERSONNEL OR FACILITIES FOR CAMPAIGN**  
**PURPOSES**  
**SECTION 8-13-765, S.C. CODE ANN., 1976, AS AMENDED**

That Tifani Moore, former Lexington-Richland Five School District Trustee, did in Richland County, send two (2) emails to Respondent's husband's district email on August 23, 2021, with the first containing a speech announcing Respondent's candidacy and the second asking to print the attached, in violation of Section 8-13-765.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 6<sup>th</sup> day,  
of August 2024.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Tifani Moore, 101 Hope Trace Way, Irmo, SC 29063 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 9<sup>th</sup> day of August 2024, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.



**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND )  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2022-094 )  
 )  
 Ken Phillips, )  
 Complainant, )  
 )  
 Tifani Moore, )  
 Respondent. )  
 \_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on August 18, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Tifani Moore (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following:

**STATEMENTS OF FACT**

1. Respondent was a successful candidate for Lexington-Richland School District Five (District) Board of Trustees (Board) in an October 12, 2021 special election. She unsuccessfully ran for reelection on November 8, 2022.
2. On October 14, 2021, Respondent filed a Quarter 3 2021 Campaign Disclosure Report (CDR) showing a positive on-hand balance of contributions. Respondent thereafter failed to file any CDRs until her run for reelection.
3. On November 1, 2022, Respondent filed CDRs for Quarter 4 2021 through Quarter 3 2022/Pre-Election. Her Quarter 3 2022/Pre-Election CDR showed a positive on-hand balance of contributions. Respondent thereafter failed to file any CDRs prior the filing of the Complaint.
4. Following the filing of the Complaint, the Commission’s investigation revealed that Respondent retired her campaign bank account on November 30, 2022 by donating \$590.00 to Lexington/Richland Alcohol and Drug Abuse Council, leaving a \$7.56 balance, which she then

*JV* #1

converted to personal use.

5. The Commission's investigation further revealed that Respondent failed to deposit eight (8) contributions totaling \$280.00 into her campaign bank account;<sup>1</sup> failed to deposit three (3) contributions totaling \$700.00 within ten (10) days of receipt; failed to make one (1) expenditure of \$66.20 through her campaign bank account; and withdrew \$200.00 from her campaign bank account to replenish petty cash on November 29, 2022.
6. The Commission's investigation additionally revealed that Respondent was married to a District employee at all relevant times. On August 12, 2021, Respondent sent a campaign questionnaire to her husband's District e-mail and asked him to print the questionnaire. Similarly, on August 23, 2021, Respondent sent two (2) e-mails to her husband's District e-mail: the first containing Respondent's campaign speech announcing her candidacy and the second asking her husband to print the speech.
7. On October 16, 2024, Respondent filed her Quarter 4 2022/Final CDR and is now in compliance.

#### CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a candidate pursuant to Sections 8-13-100(5) and 8-13-1300(4). Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-765 provides:
  - (A) No person may use government personnel, equipment, materials, or an office building in an election campaign. The provisions of this subsection do not apply to a public official's use of an official residence.
  - (B) A government, however, may rent or provide public facilities for political meetings and other campaign related purposes if they are available on similar terms to all candidates and committees, as defined in Section 8-13-1300(6).

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<sup>1</sup> The Commission's Notice of Hearing incorrectly states that Respondent failed to deposit nine (9) contributions into her campaign bank account.

JA #2

(C) This section does not prohibit government personnel, where not otherwise prohibited, from participating in election campaigns on their own time and on nongovernment premises.

3. SEC AO2003-003 provides, in relevant part, that a person who knowingly sends an e-mail containing campaign materials to a public employee on his government computer is in violation of Section 8-13-765.

4. Section 8-13-1308(B) provides:

Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

5. Section 8-13-1312 provides, in relevant part:

. . . Except as otherwise provided under Section 8-13-1348(C), expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed by the candidate or a duly authorized officer of a committee. All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt. . .

6. Section 8-13-1348(E) provides, in relevant part:

A candidate or a duly authorized officer of a committee may not withdraw more than one hundred dollars from the campaign account to establish or replenish a petty cash fund for the candidate or committee at any time, and at no time may the fund exceed one hundred dollars . . .

7. Section 8-13-1370 provides, in relevant part:

(A) Contributions received by a candidate that are in excess of expenditures during an election cycle must be used by the candidate upon final disbursement: (1) to defray ordinary and necessary expenses incurred in connection with his duties in his public office; (2) to be contributed to an organization exempt from tax under Section 501(c)(3) of the Internal Revenue Code of 1986, a political party, or a committee; (3) to be maintained in the campaign account for a subsequent race for the same elective office; (4) to further the candidacy of the individual for a different elective office. However, after December 31, 1992, the funds must be used in a campaign for a different elective office only as provided for in Section 8-13-1352; (5) to be returned pro rata to all contributors; (6) to be contributed to

JA #3

the state's general fund; or (7) to be distributed using a combination of these options.

(B) No candidate may expend contributions for personal use.

8. Section 8-13-1510(A) provides:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter . . .

9. Section 8-13-320 allows the Commission to require a civil penalty of up to \$2,000.00 for each violation of the Ethics Act.

10. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

#### DISCUSSION

The Commission found probable cause to charge Respondent with four (4) counts of violating Section 8-13-1308(B) for failing to timely file CDRs for Quarter 4 2021, Quarter 1 2022, Quarter 2 2022, and Quarter 4/Final 2022; one (1) count of violating Section 8-13-1312 for failing to deposit eight (8) campaign contributions into the campaign bank account; one (1) count of violating Section 8-13-1312 for failing to deposit three (3) campaign contributions within ten (10) days of receipt; one (1) count of violating Section 8-13-1312 for failing to make a campaign expenditure through the campaign bank account; one (1) count of violating Section 8-13-1348(E) for withdrawing \$200.00 in cash from her campaign bank account on November 29, 2022; one (1) count of violating Section 8-13-1370 for improperly disbursing \$7.56 in unexpended campaign funds; and two (2) counts of violating Section 8-13-765 for e-mailing campaign documents to her husband’s District e-mail on August 12,

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2021 and August 23, 2021.<sup>2</sup>

Through this Consent Order, Respondent acknowledges she violated the Ethics Act as described herein. In mitigation, Respondent states that her special election was her first run for office and that she did not understand all of the rules. She further states that she did not receive assistance in managing her campaign and did not know where to find additional help, especially during her special election. Additionally, Respondent asserts that she sends many, varied e-mails to her husband and cannot recall sending the specific e-mails that are subject to this Complaint, although she does not dispute that she sent them. Finally, the Commission acknowledges that Respondent filed three (3) of her late-filed CDRs prior to the filing of the Complaint and assisted the Commission in its investigation.

#### **DISPOSITION**

1. The Commission hereby finds Respondent in violation of the Ethics Act as set forth herein.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues a Public Reprimand and orders the Respondent to pay the Commission, within eighteen (18) months from receipt of this Order: a late-filing penalty of \$400.00 (\$100.00 for each CDR); a reduced civil penalty of \$600.00 (\$200.00 for each violation of Section 8-13-765 and \$200.00 for failing to deposit eight (8) contributions into her campaign bank account); and an administrative fee of \$400.00, for a total of \$1,400.00. The Commission declines to assess additional civil penalties given the mitigation herein.

The Commission further orders Respondent to pay \$107.56 (\$100.00 for the excessive cash withdrawal and \$7.56 for the campaign funds converted to personal use) to the Children's Trust Fund

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<sup>2</sup> Respondent was also charged with nineteen (19) counts of failing to disclose contributions and expenditures in violation of Section 8-13-1308(F). However, because Respondent is now in compliance, the Commission declines to proceed as to these counts.

JM #5

and to remit proof of such payment to the Commission with eighteen (18) months from the receipt of this Order. Should the Respondent fail to timely remit proof of payment, the Commission shall assess an additional reduced civil penalty of \$2,000.00 (\$1,000.00 for each violation of Sections 8-13-1348(E) and 8-13-1370).

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$3,400.00 (less any money paid to the Commission) in the event she does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$3,400.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.<sup>3</sup>

AND IT IS SO ORDERED THIS 23<sup>rd</sup> DAY OF January 2024.

STATE ETHICS COMMISSION

  
F. XAVIER STARKES, Chair

Signed by:  
  
TIFANI MOORE  
RESPONDENT

<sup>3</sup> Other instances of noncompliance not discussed herein are subject to the Commission's typical non-compliance process and not impacted by this Consent Order.