

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2024-095

COMPLAINT FORM

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Vivian S. Pettigrew
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Candidate – Charleston County School Board District 5

Section 8-13-1308, S.C. Code Ann., 1976, as amended, requires candidates to file Campaign Disclosures within ten (10) days of receiving or expending an accumulated aggregate of \$500.00 or more; fifteen (15) days prior to each election; within ten (10) days of the end of each quarter; and a final report when the campaign account is closed. In addition, certified campaign reports detailing campaign contributions and expenditures must contain the total of contributions accepted, the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate or committee, and the name and address of each person to whom an expenditure is made from campaign funds. Pursuant to Section 8-13-1362 and Regulation 52-504 (C), the Pre-Election and quarterly report are required even when there have been no contributions or expenditures.

Records of the State Ethics Commission indicate that a Campaign Disclosure was due no later than January 10, 2023, April 10, 2023, July 10, 2023, October 10, 2023, January 10, 2024, April 10, 2024, July 10, 2024, and October 10, 2024. Respondent was sent an email reminder thirty days before and ten days before each Campaign Disclosure deadline.

Respondent was sent a certified letter dated June 9, 2023 as described in the attached. To date, a properly completed Quarter 4 2022, Quarter 1 2023, Quarter 2 2023, Quarter 3 2023, Quarter 4 2023, Quarter 1 2024, Quarter 2 2024, or Quarter 3 2024 Campaign Disclosure has not been received. All in violation of Section 8-13-1308(B) and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

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 Meghan Walker Dayson who, first being duly sworn, says that 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 her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this
9th day of December 2024

[REDACTED]
Meghan Walker Dayson, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 8/1/24

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

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2024-095)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Vivian S. Pettigrew)	
Respondent.)	
_____)	

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, October 16, 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 AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland County, fail to file a 2022 Initial Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

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

That Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland

County, fail to file a 2022 Quarter 4 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 Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland County, fail to file a 2023 Quarter 1 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 Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland County, fail to file a 2023 Quarter 2 CDR, in violation of Section 8-13-1308(B).

COUNT FIVE
FAILURE TO MAINTAIN CAMPAIGN RECORDS
SECTION 8-13-1302(A)(5), S.C. CODE ANN., 1976, AS AMENDED

That Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland County, did fail to maintain records for three (3) campaign expenditures, in violation of Section 8-13-1302(A)(5).

COUNT SIX
FAILURE TO OPERATE THROUGH CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland County, fail to operate through her campaign bank account by failing to deposit a campaign contribution from Barbara Dilligard in the amount of \$350.00 into her campaign bank account and by failing to make a \$933.93 expenditure to HiTech Signs and Specialties through her campaign bank account, in violation of Section 8-13-1312.

COUNT SEVEN
USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES
SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED

That Vivian S. Pettigrew, candidate for Charleston County School Board, did in Richland County, use campaign funds on October 18, 2022, November 14, 2022, and November 25, 2022 to purchase gas totaling \$128.31, in violation of Section 8-13-1348.

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 21st day,
of May 2025.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Vivian S. Pettigrew 2669 Bonds Avenue, North Charleston, SC 29405 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 10th day of June 2025, 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 (803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2024-095)
State Ethics Commission,)
Complainant,)
Vivian S. Pettigrew,)
Respondent.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on December 9, 2024. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Vivian S. Pettigrew (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 the following:

STATEMENTS OF FACT

1. Respondent was an unsuccessful candidate for the Charleston County School District Board of Trustees in a November 8, 2022 general election.
2. Prior to the filing of the Complaint, Respondent's most recently filed Campaign Disclosure Report (CDR) was a 2022 Pre-Election/Quarter 3 CDR reflecting a balance of \$27.57 in contributions.
3. Respondent thereafter failed to file any additional CDRs.
4. In a June 9, 2023 certified letter, the Commission notified Respondent of the failure to file a Quarter 4 2022 CDR and a Quarter 1 2023 CDR.
5. According to the United States Postal Service (USPS), the certified letter was delivered to Respondent's address of record on June 21, 2023 at 2:25 p.m. Respondent signed for the letter.
6. On July 1, 2023, late-filing penalties began to accrue at \$20.00 per day (\$10.00 per CDR).

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7. On July 11, 2023, late-filing penalties began to accrue at \$200.00 per day (\$100.00 per CDR).
8. On August 20, 2024, a Commission staff member contacted Respondent. Respondent stated that she would call back the next day because she was not at her computer.
9. The Complaint was filed December 9, 2024.
10. Following the filing of the Complaint, Respondent's campaign bank account records were subpoenaed and compared to Respondent's CDRs, revealing the following:
 - a. On September 26 and 28, 2022, Respondent purchased campaign mailers totaling \$135.00 from Honor Marks but did not disclose these expenditures in her CDRs
 - b. On October 6, 2022, Respondent made a \$933.93 campaign expenditure to HiTech Signs but did not use the campaign bank account
 - c. On October 22, 2022, Respondent accepted a \$350.00 campaign contribution from Barbara Dilligard but failed to deposit it into the campaign bank account.
 - d. Without maintaining records related to each expenditure, Respondent used campaign funds as follows:
 - i. \$40.00 cash withdraw on March 6, 2023
 - ii. \$0.48 at Sunco on March 6, 2023
 - iii. 58.03 at Sunco on March 6, 2023
 - e. Respondent's campaign bank closed on June 27, 2023.
11. On February 26, 2025, Respondent came into compliance by filing the requisite CDRs and making the necessary disclosures therein.

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 Section 8-13-1300(4). Therefore, the Commission has personal and subject matter jurisdiction.
2. Because the campaign bank account closed on June 27, 2023, Respondent was required to file

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a Quarter 4 2022 CDR, a Quarter 1 2023 CDR, and a Quarter 2 2023 CDR pursuant to Section 8-13-1308(B), which provides, in relevant part:

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.

3. Respondent was required to use the campaign bank account for all campaign contributions and expenditures pursuant to Section 8-13-1312, which provides, in relevant part:

...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...

4. Respondent was required maintain records related to the aforementioned March 6, 2023 transactions pursuant to Section 8-13-1302, which provides, in relevant part:

(A) A candidate, committee, or ballot measure committee must maintain and preserve an account of: ... (3) the total amount of expenditures made by or on behalf of the candidate, committee, or ballot measure committee; (4) the name and address of each person to whom an expenditure is made including the date, amount, purpose, and beneficiary of the expenditure; (5) all receipted bills, canceled checks, or other proof of payment for each expenditure...

(B) The candidate, committee, or ballot measure committee must maintain and preserve all receipted bills and account required by this article for four years.

5. In accordance with Section 8-13-1510(A), penalties of \$10,100.00 in late-filing (\$5,000.00 for the Quarter 4 2022 CDR, \$5,000.00 for the Quarter 1 2023, and \$100.00 for the Quarter 2 2023 CDR):

... a person required to file a report or statement under this chapter who files a late statement or report ... must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement

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or report is not filed within five days after the established deadline provided by law in this chapter; and (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

6. 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.
7. Section 8-13-320(10)(l) allows the Commission to assess a \$2,000.00 civil penalty for violations of the Ethics Act and to require the forfeiture of any profits obtained in violation thereof.

DISCUSSION

The Commission found probable cause to charge Respondent with three (3) counts of Section 8-13-1308(B) for failing to file a Quarter 4 2022 CDR, a Quarter 1 2023 CDR, and a Quarter 2, 2023 CDR;¹ one (1) count of Section 8-13-1302(A) for failing to maintain campaign records for the March 6, 2023 expenditures; and one (1) count of Section 8-13-1312 for failing to use a campaign bank account for the \$350.00 contribution from Barbara Dilligard and the \$933.93 expenditure to HiTech Signs.² Through this Consent Order, Respondent acknowledges she violated the Ethics Act as identified above.

In mitigation, Respondent offers the following statement:

In July of 2021, I received an appointment as a board member for Charleston Advancement Academy. During this tenure, the charter school experiences extreme turnover in teachers and administrative personnel in the next two (2) years. Terminations and resignations

¹ The Commission also found probable cause to believe that Respondent violated Section 8-13-1308(A) for failing to timely file an Initial CDR and Section 8-13-1348 for failing to maintain a mileage log in conjunction with the purchase of fuel. However, the late-filing penalty associated with the Initial CDR has been addressed through the Commission’s standard non-compliance process. Moreover, Respondent has since provided the Commission with a mileage log. Accordingly, the Commission declines to proceed as to these charges.

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led to notice letters, arbitration requests, and lawsuits against and by the charter school. With and/or without the board's consent, the charter school initiated and defended itself in lawsuit initiated 4/6/2020, 5/27/2021, and 10/22/2023.

In early June of 2023, the South Carolina Public Charter School District Board of Trustees petitioned and was granted the revocation of the charter school's charter. Beginning June of 2023, I began receiving notices and service of appeals, affirmative requests for relief, arbitration demands from former employees, and related legal documents. Dismissed employees also initiated a lawsuit against the charter school and its board members (in their individual capacities), including myself, for wage disputes. Bernstein & Bernstein, P.A. and Turner & Caudell, LLC eventually were retained to represent the board members and/or the charter school, but it was difficult as a lay person to understand the scope and purpose of the received legal notices received during this period. I also apparently received the notice letter from the Ethics Commission regarding my candidate reporting discrepancies during this period.

On a personal note, I had to initial proceedings to obtain legal guardianship of my granddaughter in May of 2022. By the summer of 2023, I assumed responsibility to oversee and participate in my granddaughter's engagement in the college application process as she prepared for her senior year. As a 73-year-old grandmother, I had to again navigate college financial aid scholarship programs and financing opportunities, university school visits, and routine check-in with guidance counselors to navigate prior mental health issues. Additionally, my mother (the then 91-year-old matriarch of my family) experienced several health issues that required hospitalization and increased care giver responsibilities.

I also continued my service as the troop leader of Girl Scout Troop 37, Vice President of the Murray Hill Community Civic Association, and the bible school director and finance committee member for the Azalea Drive Church of Christ. Azalea Drive Church of Christ hosts a drive through food distribution for seniors and community members experiencing food insecurities every 3rd Thursday of each month. As one of the organizers for this ministry, I assisting in the food distribution for the month of June held on June 16, 2023.

While the above factual statement in no way excuses my failure to respond to the Commission's inquiry and notice letter in June of 2023, I wanted to provide the above overview as a perspective of my commitments in the notice period. I stand ready to provide any supplemental information requested by the commission or its

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advocate in its consideration of the proposed Consent Order.

Moreover, during the pendency of the Complaint, Respondent states that she was participating in the Commission's standard non-compliance process related to CDRs not encompassed in this Complaint. Respondent states she mistakenly believed that she had resolved all outstanding issues when her issues with the Non-compliance Division were resolved. Finally, as to the March 6, 2023 expenditures, Respondent does not recall using campaign funds and believes a relative may have inadvertently used her campaign debit card.

DISPOSITION

1. The Commission finds Respondent in violation of three (3) counts of Section 8-13-1308(B), one (1) count of Section 8-13-1302(A), one (1) count of Section 8-13-1312, and one (1) count of Section 8-13-1348.
2. The Commission adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this Written Warning and orders Respondent to pay the Commission, within nine (9) months from receipt of this Order, a reduced late-filing penalty of \$500.00 (\$200.00 for the Quarter 4 2022 CDR, \$200.00 for the Quarter 1 2023 CDR, and \$100.00 for the Quarter 2 2023 CDR³) and an administrative fee of \$400.00, for a total of \$900.00. The Commission declines to assess a civil penalty for the violations of Section 8-13-1302(A), Section 8-13-1312, and Section 8-13-1348 given the mitigation referenced herein.

By executing this Consent Order, Respondent understands that she is consenting to a judgment of \$900.00 if she does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in

³ Pursuant to Section 8-13-1510(A), the late-filing penalty for the Quarter 2 2023 CDR is limited to \$100.00 because the Respondent did not receive certified notice of her failure to file this report.

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Respondent's last known County of residence, who shall enter this Order in the amount of \$900.00
(less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 9th DAY OF October 2025.
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STATE ETHICS COMMISSION


VIVIAN S. PETTIGREW
RESPONDENT