

RECEIVED
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BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator)
)
Certificate of Yvonne J. Oswald)
)
Certificate 161026)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

This matter comes before the South Carolina State Board of Education (State Board) on May 11, 2016. On March 2, 2016, the South Carolina Department of Education (SCDE) sent a notice letter of the possible suspension or revocation of South Carolina educator certificate 161026 to Yvonne J. Oswald by certified mail, return receipt requested, based on the grounds of unprofessional conduct. Ms. Oswald received the notice on March 8, 2016, as evidenced by postal verification. On March 16, 2016, Ms. Oswald sent a written request for a private hearing in this matter. On March 21, 2016, Ms. Oswald agreed to waive her right to a hearing and agreed to enter into this Consent Order of Suspension of her educator certificate for a period of one year beginning May 11, 2016, and ending May 10, 2017. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension and suspend the license of Ms. Oswald for a period of one year from the date of this order.

Yvonne J.
Oswald
161026

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FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (Rev. 2004) and S. C. Code Ann. § 59-25-160 (Rev. 2004).

Ms. Oswald holds a valid South Carolina professional educator certificate and has over twenty-four years of teaching experience. She has no prior history of disciplinary action with the State Board. Ms. Oswald had been employed by the Lancaster County School District (District) as a social studies teacher at A.R. Rucker Middle School (School), until her resignation from the District on January 29, 2016.

On January 29, 2016, Ms. Oswald resigned from the District after admitting she misappropriated approximately one thousand dollars of school fundraising for her personal use. At the time of her admission, Ms. Oswald immediately returned five

hundred sixty dollars. She is currently making monthly payments until full restitution is made.

On March 2, 2016, the SCDE served Ms. Oswald with a notice of her right to a hearing before the State Board concerning the possible disciplinary action of her South Carolina educator certificate 161026 by certified mail, return receipt, restricted delivery, and regular mail. Ms. Oswald received the notice on March 8, 2016, as evidenced by a signed postal receipt. On March 16, 2016, Ms. Oswald requested a private hearing in this matter. Prior to the scheduling of the hearing, Ms. Oswald agreed to waive her right to a hearing and enter into this Consent Order of Suspension for one year. After considering the evidence presented, the State Board voted to accept this Consent Order of Suspension, effective on May 11, 2016, and ending on May 10, 2017.

Ms. Oswald agrees to the suspension of her educator certificate, subject to the following conditions: (1) her educator certificate will be suspended for one year, beginning immediately upon the approval by the State Board of the Consent Order of Suspension; (2) she has waived her right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) she understands that the Order of Suspension will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse.

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 (Rev. 2004). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (Rev. 2004); 2 S.C. Code Regs. Ann. 43-58 (2011). The State Board finds that the evidence presented demonstrates that Ms. Oswald engaged in unprofessional conduct due to her mishandling of school funds. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Yvonne J. Oswald on the grounds of unprofessional conduct for a period of one year commencing on May 11, 2016, and ending on May 10, 2017.

Now, therefore, it is hereby ordered that the State Board accepts the Consent Order of Suspension and the educator certificate of Yvonne J. Oswald, certificate 161026, is hereby suspended for a period of one year, beginning May 11, 2016, and

Yvonne J.
Oswald
161026

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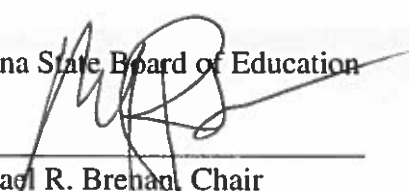
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ending May 10, 2017. This action on educator certificate 161026 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order. Should Ms. Oswald wish to have her educator certificate reinstated at the end of the suspension period, she must meet all certification requirements and shall submit a written request to the SCDE's Office of Educator Services. Ms. Oswald shall be responsible for the payment of all applicable fees, including any reinstatement fee.

AND IT IS SO ORDERED.

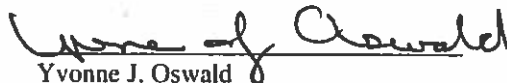
South Carolina State Board of Education

By:


Michael R. Brennan, Chair

Columbia, South Carolina
May 11, 2016

I, Yvonne J. Oswald, S.C. Educator Certificate 161026, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review. I hereby freely, knowing and voluntarily agree to the suspension of my educator certificate by the South Carolina State Board of Education. I agree to the proposed Consent Order of Voluntary Suspension, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on May 11, 2016.


Yvonne J. Oswald

4/12/16
Date