

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Ashley Marie Nicole Silvera)
)
Educator certificate 270327)
_____)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 14, 2017. On December 1, 2016, the South Carolina Department of Education (SCDE) sent notice to Ms. Silvera informing her that the State Board would meet to make a determination regarding the possible suspension of her educator certificate by regular and certified mail, return receipt requested. After Ms. Silvera received the notice, her attorney contacted the SCDE and requested an alternate resolution in this matter. Ms. Silvera has agreed to waive her right to a hearing and enter into a Consent Order of Suspension of her educator certificate 270327 for a period of one year. After considering the evidence presented, the State Board voted to approve the Consent Order of Suspension of Ms. Silvera's educator certificate for a period of one year commencing on February 14, 2017, and ending on February 13, 2018.

FINDINGS OF FACT

Ms. Silvera holds a valid educator certificate and has two years of educator experience. She has no prior record of disciplinary action with the State Board. Ms. Silvera began employment with the Richland County School District One (District) in 2015. The District employed Ms. Silvera as a teacher and step coach at Lower Richland High School (School). On January 13, 2016, the District placed Ms. Silvera on administrative leave during an investigation into allegations of her inappropriate relationship with a student. The District determined that Ms. Silvera violated District Policy GBE – Staff Rights and Responsibilities and standards of professional behavior, which require teachers to maintain appropriate professional boundaries with students at all times. The District also determined that Ms. Silvera failed to report potential self-harm and suicidal thoughts disclosed to her by a student, an obligation required of Ms. Silvera as a mandatory reporter under S.C. Code Ann. § 63-7-310 (2016). Ms. Silvera resigned

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from the District, effective April 15, 2016. No criminal charges were filed against Ms. Silvera as a result of the allegations and subsequent investigation. Ms. Silvera deeply regrets her errors in judgment in this matter.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented by the SCDE demonstrates that Ms. Silvera engaged in unprofessional conduct as a result of her violation of District Policy GBE – Staff Rights and Responsibilities as well as standards of professional behavior. Additionally, the State Board finds that Ms. Silvera, as a mandatory reporter, failed to report the suicidal ideation and potential self-harm of a student. The State Board finds that the information presented supports its conclusion that just cause exists to accept the Consent Order of Suspension of the educator certificate of Ashley Marie Nicole Silvera, and to suspend Ms. Silvera’s educator certificate for a period of one year commencing on February 14, 2017, and ending on February 13, 2018.

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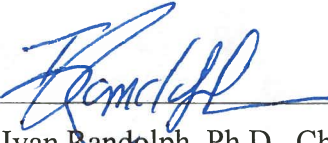
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Now, therefore, it is hereby ordered that the educator certificate of Ashley Marie Nicole Silvera, certificate 270327, is suspended for a period of one year commencing on February 14, 2017, and ending February 13, 2018.

If Ms. Silvera wishes to have her 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. Silvera 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 Ms. Silvera’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.

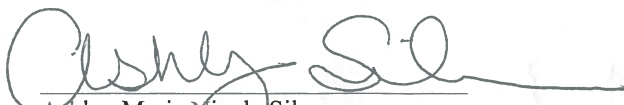
AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
February 14, 2017

I, Ashley Marie Nicole Silvera, S.C. Educator Certificate 270327, 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, knowingly 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 Suspension, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on February 14, 2017.


Ashley Marie Nicole Silvera

1/26/17
Date