

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Christin K. Lavette
Certificate 246833

ORDER OF SUSPENSION
(Breach of Contract)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 8, 2020. The South Carolina Department of Education (SCDE) notified Christin K. Lavette of potential disciplinary action against her teaching certificate and informed her of her right to a hearing via a certified letter dated November 27, 2019. Ms. Lavette timely requested a hearing and such was held on October 7, 2020. On October 28, 2020, the SCDE and Ms. Lavette received the hearing officer's report and recommendation. After considering the evidence presented, the State Board hereby voted to suspend Ms. Lavette's educator certificate for a period of one year, commencing on December 8, 2020 and ending on December 7, 2021.

FINDINGS OF FACT

This case concerns a formal complaint by the Charleston County School District (District) seeking the suspension of Ms. Lavette's educator certificate for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004). Ms. Lavette holds a valid South Carolina professional educator certificate and has over four years of experience. She has no prior record of disciplinary action with the State Board.

On June 23, 2019, Ms. Lavette signed a contract with the District to serve as a part-time art teacher at Sanders-Clyde Elementary School (Sanders-Clyde). On July 8, 2019, Lavette signed a second contract to serve as a part-time art teacher at Malcolm C. Hursey Elementary School (Hursey). Both contracts were for the 2019-20 school year and were subject to District contract policies.

On October 6, 2019, Ms. Lavette informed the principal of Sanders-Clyde that she would not be reporting to work on October 7, 2019, and was considering resignation due

to a number of issues at the school. The principal sent a response the same day that detailed several steps that could be taken to address Ms. Lavette's concerns, including adding assistants to the classroom and eliminating some classes. Ms. Lavette subsequently did not report to work at Sanders-Clyde or Hursey. On October 14, 2019, she sent the principal of Sanders-Clyde a resignation from both positions in the District.

The hearing officer found that Ms. Lavette failed to fulfill her contractual obligations, left prior to receiving a release from the District, and left before a suitable replacement was found. Ms. Lavette was aware of her contractual obligations and notified of the possible consequences of breaching her contract. The hearing officer did not find sufficient evidence of mitigating circumstances to justify Ms. Lavette's breach of contract.

After considering the evidence presented, the State Board finds that Ms. Lavette breached her contract with the District. Accordingly, the State Board finds that just cause exists to accept the recommendation of the hearing officer and suspend Ms. Lavette's educator certificate for a period of one year, commencing on December 8, 2020, and ending on December 7, 2021.

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 (2018); The State Board may, for just cause, issue a public reprimand. S.C. Code Ann. Regs. 43-58 (2018). Just cause includes unprofessional conduct. S.C. Code Ann. §59-25-160. The State Board finds that the evidence presented supports its conclusion that just cause exists to suspend the professional educator certificate of Christin K. Lavette in this matter. The State Board finds that just cause exists to accept the recommendation of the hearing officer and suspend Ms. Lavette's educator certificate for a period of one year, commencing on December 8, 2020, and ending on December 7, 2021.

If Ms. Lavette wishes to have her educator certificate reinstated at the end of the suspension period, she shall make a written request to the SCDE's Office of Educator

Christin K. Lavette, Certificate 246833
Order of Suspension
December 8, 2020
Page 3 of 3

Services, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Lavette shall also pay the applicable reinstatement fee. The suspension of Christin K. Lavette's educator certificate 246833 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order, with the reason stated as "unprofessional conduct, breach of contract, willful neglect of duty, and failure to comply with the provisions of a contract without the written consent of the local school board."

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Michael Brennan

Michael Brennan, Chair

Columbia, South Carolina
December 8, 2020