

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Ivey Nicole Savage
Certificate 263260

**CONSENT ORDER OF SUSPENSION
(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 13, 2022. On January 5, 2022, the South Carolina Department of Education (SCDE) sent Ivey Nicole Savage a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate based on her breach of contract. Ms. Savage timely requested a hearing in the matter. Prior to the hearing, Ms. Savage and the District reached an alternative resolution. Ms. Savage has agreed to waive her right to a hearing and enter into this Consent Order of Suspension.

After considering the evidence presented, the State Board voted to suspend Ms. Savage's educator certificate for a period of two months, commencing December 13, 2022, and ending February 12, 2023.

FINDINGS OF FACT

This case concerns a formal complaint from the Aiken County Public School District (District) seeking the suspension of the educator certificate of Ms. Savage for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2020) and S.C. Code Ann. § 59-25-530 (2020).

On May 5, 2021, Ms. Savage signed a contractual agreement with the District to serve as a Special Education Teacher for the 2021-22. Ms. Savage submitted her resignation on October 8, 2021, effective October 31, 2021, citing personal issues, including plans for her child's education and a situation in the workplace causing continued stress. Ms. Savage's last day with the District was November 26, 2021. The District informed Ms. Savage that she would be released from her contract once a suitable replacement was found via letter on October 12, 2021. On December 14, 2021, the District Board of Trustees voted to report Ms.

Ivey Nicole Savage
263260
s/IS
Initial
11/15/22
Date

Savage's breach of contract to the SCDE. On December 16, 2021, the District reported the matter to the SCDE.

After being notified of the pending action against her educator certificate, Ms. Savage's legal counsel contacted the SCDE and the District to discuss an alternate resolution. Ms. Savage has agreed to the suspension of her educator certificate for a period of two months, beginning December 13, 2022, and ending February 12, 2023.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Savage breached her contract with the District, and that just cause exists to suspend Ms. Savage's certificate 263260 for a period of two months, commencing on December 13, 2022, and ending February 12, 2023.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." Just cause includes, inter alia, "unprofessional conduct" and "willful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (3) and (4) (2020). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2018), the State Board of Education had the legal authority to suspend a certificate for "failure to comply with the provision of a contract without the written consent of the local school board." With respect to breach of contract, "any teacher who fails to comply with the provisions of his [or her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S. C. Code Ann. § 59-25-530 (2020). "Upon formal complaint of the school board, substantiated by conclusive evidence, the State Board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year."

The State Board finds that the evidence presented demonstrates that Ms. Savage breached her contract without the consent and/or approval of the Aiken County Public School District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Ivey Nicole Savage for a period of two months, commencing on December 13, 2022, and ending February 12, 2023. If Ms. Savage wishes to have her educator certificate reinstated at the end of the suspension period, she

Ivey Nicole Savage
263260
s/IS
Initial
11/15/22
Date

shall make a written request to the SCDE's Office of Educator Services, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Savage shall also pay the applicable reinstatement fee. The suspension of Ms. Savage's educator certificate 263260 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/Crystal F. Stapleton
Crystal F. Stapleton, Chair

Columbia, South Carolina
December 13, 2022

I, Ivey Nicole Savage, S.C. Educator Certificate 263260, 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 understand that the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack, or judicial review. I have read the Consent Order of Suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented to the South Carolina State Board of Education for approval on Tuesday, December 13, 2022. I understand this Consent Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of "/s/ name" for required website publication.

s/Ivey Nicole Savage
Ivey Nicole Savage

11/15/22
Date