

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Alexis Danielle Ludwig
Certificate 271748

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 17, 2022. On March 31, 2021, the South Carolina Department of Education (SCDE) sent Alexis Danielle Ludwig a notice via regular and certified mail, return receipt requested, of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Ludwig submitted her request for hearing to the SCDE on April 21, 2021 and a hearing was held on March 16, 2022. Considering the evidence presented, the State Board voted to suspend Ms. Ludwig's educator certificate for a period of three months, commencing May 17, 2022, and ending on August 16, 2022.

FINDINGS OF FACT

This case concerns a formal complaint of Rock Hill Schools, York County District Three (District) seeking the suspension of the educator certificate of Ms. Ludwig for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2018) and S.C. Code Ann. § 59-25-530 (2018).

Ms. Ludwig signed a contractual agreement with the District to serve as a Speech Therapist for the 2020-21 school year. On February 23, 2021, Ms. Ludwig informed the District she would not be returning after her maternity leave. The District notified Ms. Ludwig that, pursuant to District policy, she would not be released from her contract until a suitable replacement was found. Ms. Ludwig stated she understood that she was under contract but that she would be returning to work. The District Board voted to report Ms. Ludwig's breach of

contract to the SCDE on March 22, 2021. On March 24, 2021, the District reported the matter to the SCDE.

The hearing officer found substantial evidence that Ms. Ludwig did breach her contract with the District for the 2020-21 school year. As a result, the District was required to contract with outside professionals for the appropriate services. In considering any mitigating circumstances to the breach, the hearing officer stated that the breach occurred during the last three months of the school year. She further noted the stresses caused by the pandemic.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Ludwig breached her contract with the District, and that just cause exists to suspend Ms. Ludwig, certificate 271748, for a period of three months, commencing May 17, 2022, and ending on August 16, 2022.

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) (2018). 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 (2018). “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.” *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Ludwig breached her contract without the consent and/or approval of the District. Accordingly, the evidence presented supports the State Board’s determination that just cause exists to suspend the educator certificate of Alexis Danielle Ludwig for a period of three months, commencing May 17, 2022, and ending on August 16, 2022.

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If Ms. Ludwig 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 Services and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Ludwig shall also pay the applicable reinstatement fee. The suspension of Ms. Ludwig's educator certificate 271748 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/Alan Walters

Alan Walters, Chair

Columbia, South Carolina

May 17, 2022