

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Nicole Violet Singleton
Certificate 252806

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2023. On May 17, 2023, the South Carolina Department of Education (SCDE) sent Nicole Violet Singleton a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Singleton received the notice on May 25, 2023, as evidenced by signed postal receipt. She has not requested a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Singleton's educator certificate for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024.

FINDINGS OF FACT

This case concerns a formal complaint of Richland School District Two (District) seeking the suspension of the educator certificate of Ms. Singleton 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 25, 2022, Ms. Singleton signed a contractual agreement with the District to serve as a teacher for the 2022-23 school year. On March 23, 2023, Ms. Singleton submitted a separation request to the District, effective June 3, 2023. In her request, Ms. Singleton stated she would like to be a substitute for the District but wished to pursue a different career field. On April 26, 2023, Ms. Singleton informed the District that she would not be returning and wished to edit her separation request to show April 26, 2023, as her last day with the District. On April 28, 2023, the District informed Ms. Singleton she was not released from her contract and her failure to report to work on April 27, 2023, would be considered a breach of contract. The District Board voted to report Ms.

Singleton's breach of contract to the SCDE on May 9, 2023. The District reported the matter to the SCDE on May 10, 2023.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Singleton breached her contract with the District, and that just cause exists to suspend Ms. Singleton's certificate 252806 for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024.

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) (2021), the State Board of Education has 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." *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Singleton 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 Nicole Violet Singleton for a period of one year, commencing on August 8, 2023, and ending on August 7, 2024.

If Ms. Singleton 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. Singleton shall also pay the applicable reinstatement fee. The

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suspension of Ms. Singleton's educator certificate 252806 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, Ed.D.
Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina
August 8, 2023