

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the  
Disciplinary Action of the  
Educator Certificate of  
Candice Zegilla  
Certificate 299041

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

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on June 13, 2023. On April 3, 2023, the South Carolina Department of Education (SCDE) sent Candice Zegilla a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Zegilla received the notice on April 6, 2023, as evidenced by signed postal receipt. She has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Zegilla's educator certificate for a period of one year, commencing on June 13, 2023, and ending on June 12, 2024.

**FINDINGS OF FACT**

This case concerns a formal complaint of Lexington County School District Two (District) seeking the suspension of the educator certificate of Ms. Zegilla 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).

On May 9, 2022, Candice Zegilla signed a contractual agreement with the District to serve as a teacher for the 2022-23 school year. On January 30, 2023, Ms. Zegilla submitted her resignation to the District, effective February 10, 2023. In her resignation she stated she was pursuing a new career path. On February 10, 2023, the District informed Ms. Zegilla that the breach of contract was reported to the District Board. The District Board voted to report Ms. Zegilla's breach of contract to the SCDE on February 9, 2023. The District reported the matter to the SCDE on March 29, 2023.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Zegilla breached her contract with the District, and that just cause

exists to suspend Ms. Zegilla's certificate 299041 for a period of one year, commencing on June 13, 2023, and ending on June 12, 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. Zegilla 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 Candice Zegilla for a period of one year, commencing on June 13, 2023, and ending on June 12, 2024.

If Ms. Zegilla 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. Zegilla shall also pay the applicable reinstatement fee. The suspension of Ms. Zegilla's educator certificate 299041 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

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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  
June 13, 2023