

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension of)
the Certificate of Educator)
Tracy J. Butts)
Certificate 166657)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 11, 2016. On September 8, 2016, the South Carolina Department of Education (SCDE) sent notice to Tracy J. Butts, by regular and certified mail, return receipt requested, informing her that the State Board would meet to make a determination regarding the possible suspension or revocation of her educator certificate. Ms. Butts received the notice on September 17, 2016, as evidenced by a signed postal receipt. Ms. Butts has informed the SCDE that she agrees to waive her right to a hearing in this matter. She has agreed to enter into a Consent Order of Suspension of her educator certificate 166657 for one year. After considering the evidence presented, the State Board voted to suspended Ms. Butts' educator certificate for a period of one year commencing on October 11, 2016, and ending on October 10, 2017.

Tracy J
Butts
166657

Initial
10-8
Date

FINDINGS OF FACT

Ms. Butts holds a professional South Carolina educator certificate and has over seventeen years of teaching experience. Ms. Butts has a Bachelor's degree from Lander University ('88) and a Master's degree recognized by the state of Oklahoma ('90). She was hired by the Beaufort County School District One (District) in 2009 and was serving as a substitute teacher for the 2015-2016 school year.

On April 4, 2016, Ms. Butts was removed from the list of approved substitutes after it was alleged that she offered alcohol to students at the Bluffton High School (School) senior prom held on April 2, 2016. A student reported to one of the acting school resource officers (SRO) that Ms. Butts had offered a suspected alcoholic beverage to students attending the prom. When approached by the SRO, Ms. Butts denied the

allegations. However, she admitted she had some alcohol on her person and an officer retrieved a small bottle of lemon vodka in her purse. At this time, Ms. Butts was observed carrying a plastic cup with clear liquid in it. Since the students allegedly involved had already left the prom, the investigation was paused for the weekend.

On Monday, April 4, 2016, the investigation resumed at the School. The students involved were interviewed. Both claimed that Ms. Butts had offered them a taste of her beverage during the prom. The beverage was described as the same type observed by the officers as clear in color. Ms. Butts claimed the beverage was lemon water. Another witness overheard Ms. Butts offer a 'taste' to the students. Lemons, lemon flavor, and lemon water were not offered as beverages at the prom.

On September 8, 2016, the SCDE sent notice to Ms. Butts, by regular and certified mail, return receipt requested, informing her that the State Board would meet to make a determination regarding the possible suspension or revocation of her educator certificate. Ms. Butts received the notice on September 17, 2016, as evidenced by the postal receipt. Ms. Butts has informed the SCDE that she agrees to waive her right to a hearing in this matter. She has agreed to enter into a Consent Order of Suspension of her educator certificate 166657 for one year. After considering the evidence presented, the State Board voted to suspend Ms. Butts' educator certificate for a period of one year commencing on October 11, 2016, and ending on October 10, 2017.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes unprofessional conduct and dishonesty. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented by the SCDE demonstrates that Ms. Butts engaged in unprofessional conduct by having alcohol on her person and offering students a taste of her beverage at the Bluffton High School prom held on April 2, 2016. The State Board finds that the information presented supports its conclusion that just cause exists to suspend the educator certificate of Tracy J. Butts on the grounds of unprofessional conduct for a period of one year commencing on October 1, 2016, and ending on October 10, 2017.

Tracy J. Butts 166657
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Now, therefore, it is hereby ordered that the educator certificate of Tracy J. Butts, certificate 166657, is suspended for a period of one year commencing on October 11, 2016, and ending on October 10, 2017. If Ms. Butts wishes to have her certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE's Office of Educator Services. Ms. Butts shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Ms. Butts educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By:


Michael R. Brennan, Chair

Columbia, South Carolina
October 11, 2016

I, Tracy J. Butts, S.C. Educator Certificate 166657, 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 agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review. I hereby freely, knowingly and voluntarily agree to the suspension of my educator certificate by the South Carolina State Board of Education. I agree to the proposed Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on October 11, 2016.


Tracy J. Butts

10-3-16
Date