

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF PUBLIC REPRIMAND
	)	
Amy M. Millspaugh,	)	
	)	
<u>Certificate 253761</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 12, 2019. On November 29, 2018, the South Carolina Department of Education (SCDE) sent notice to Amy M. Millspaugh regarding possible action against her educator certificate, by regular and certified mail, return receipt requested. Ms. Millspaugh received the notice, as evidenced by the 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 finds that just cause exists for the issuance of a Public Reprimand.

FINDINGS OF FACT

Ms. Millspaugh holds a valid South Carolina professional educator certificate and has six (6) years of educator experience. She has no prior record of disciplinary action with the State Board. Ms. Millspaugh was employed by Oconee School District One (District) as a guidance counselor at Fair Oak Elementary School (School) during the 2017-18 school year.

On Thursday, January 18, 2018, Ms. Millspaugh was teaching a guidance lesson on "Safe Touch." During the lesson, a student asked Ms. Millspaugh questions about bathing with a parent. Ms. Millspaugh knew the student and the student's parent. She stated she thought it was 'cute' that the student appeared very concerned about the matter. Ms. Millspaugh did not report the incident to authorities that day or the next. Instead, she spoke further with the student and the student's parent.

On Saturday, January 20, 2018, Ms. Millspaugh began thinking of the incident at home. Reviewing the conversations with the student and the student's parent, she began to question if she should have reported the incident to authorities. That evening, after dinner, Ms. Millspaugh called the School's principal to discuss the issue. The principal

advised her the incident needed to be reported right away and that she was to have no further communication with the parent. Law enforcement was notified.

District records indicated Ms. Millspaugh was previously assigned additional training on mandatory reporting procedures, laws, and best practices, after an earlier failure to report child abuse in 2014. She was allowed to resign from the District on March 13, 2018.

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 (Rev. 2004); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2017). The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend or revoke the educator certificate of Amy M. Millspaugh. The evidence presented, however, demonstrates that Ms. Millspaugh engaged in unprofessional conduct as a result of her failure to report child abuse. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Ms. Millspaugh by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Amy M. Millspaugh, educator certificate 253761. The Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the grounds listed as “unprofessional conduct.” This Order of Public Reprimand shall be posted on the SCDE’s web site and shall be maintained as a public record in the SCDE’s Office of General Counsel.

AND IT IS SO ORDERED.

South Carolina State Board of Education


Del-Gratia Jones, Chair

Columbia, South Carolina
February 12, 2019