

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Christopher Blayne Manley,	)	(BREACH OF CONTRACT)
	)	
Certificate 266933	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 12, 2014. On January 10, 2014, the South Carolina Department of Education (SCDE) sent Christopher Blayne Manley a notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Manley received the notice as acknowledged by correspondence dated January 22, 2014, to the Office of Educator Services. Mr. Manley did not request a hearing and is in default.

After considering the evidence presented, the State Board voted to suspend Mr. Manley's educator certificate, certificate 266933, for a period of one year, commencing on March 12, 2014, and ending on March 11, 2015.

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County School District (District) seeking the suspension of the educator certificate of Christopher Manley, for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (Rev. 2004) and S.C. Code Ann § 59-25-530 (Rev. 2004).

Mr. Manley holds an initial South Carolina educator certificate and has less than one year of teaching experience. On August 15, 2013, Mr. Manley signed a Contractual Agreement with the District for the 2013–2014 school year to work as a teacher at Pelham Road Elementary School. On November 29, 2013, Mr. Manley submitted a letter of resignation to the District, effective immediately, stating he was resigning due to personal and health concerns. Mr. Manley did not submit a request to be released from his contract, nor was he released from his contract by the Superintendent.

On December 3, 2013, the District sent a letter to Mr. Manley informing him that his abandonment of his position and his failure to submit a request to be released from his contract as required by Board Policy was a breach of his contractual obligations and unprofessional conduct. Board Policy GBO provides that any professional staff member who wants to terminate a contract must state his/her desire in writing to the superintendent and that the board will not release a teacher from his/her contract after July 1 except for reasons of sickness, change of spouse's residence out of the district, maternity, or other family emergencies. The policy also provides that the district reserves the right not to release the teacher if written notice isn't given or a suitable replacement has not been obtained.

On December 17, 2013, the District Board of Trustees voted to recommend the suspension of Mr. Manley's teaching certificate for breach of contract to SCDE. On December 20, 2013, the District reported this matter to the State Board.

On January 10, 2014, the SCDE sent Mr. Manley a notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate for breach of contract by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Manley received the notice as acknowledged by correspondence dated January 22, 2014, to the Office of Educator Services. In this correspondence, Mr. Manley did not request a hearing and is in default.

After considering the evidence presented, the State Board voted to suspend Mr. Manley's educator certificate, certificate 266933, for a period of one year, commencing on March 12, 2014, and ending on March 11, 2015.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (Rev. 2004). Just cause includes, *inter alia*, "unprofessional conduct" and "wilful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (3) and (4) (Rev. 2004). Pursuant to S.C. Code Regs. 43-58 (2) and (14) (2011), the State Board of Education has the legal authority, *inter alia*, to suspend a certificate for "wilful neglect of duty" and "failure to comply with the provisions of a contract without the written consent of the local school board." The State Board

finds that the evidence presented demonstrates that Mr. Manley breached his contract and engaged in unprofessional conduct, wilfully neglected his duty, and failed to comply with the provisions of his contract without the written consent of the Greenville County School District's Board of Trustees. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Christopher Blayne Manley, certificate 266933, for a period of one year, commencing on March 12, 2014, and ending on March 11, 2015. If Mr. Manley wishes to have his educator certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator Services, and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Manley shall also pay the applicable reinstatement fee. The suspension of Mr. Manley's educator certificate 266933 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: 

Barry F. Bolen, Chair

Columbia, South Carolina

March 12, 2014