

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Jennifer N. Bowe,	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 207231</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 11, 2016. On August 29, 2016, the South Carolina Department of Education (SCDE) served Jennifer N. Bowe a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Bowe received the notice on September 2, 2016, as evidenced by a signed postal receipt bearing her signature. Ms. Bowe contacted the SCDE Office of General Counsel on September 8, 2016, and stated she did not object to the suspension of her educator certificate for one year. After considering the evidence presented, the State Board voted to suspend Ms. Bowe's educator certificate for a period of one year, commencing on October 11, 2016, and ending on October 10, 2017.

FINDINGS OF FACT

This case concerns a formal complaint by the Spartanburg County School District Three (District) recommending the suspension of the educator certificate of Jennifer N. Bowe 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).

Ms. Bowe holds a South Carolina educator certificate and has twenty years of teaching experience. Ms. Bowe signed a Contractual Agreement with the District to serve as a teacher at Broome High School for the 2016-2017 school year. The District received Ms. Bowe's letter of resignation on July 31, 2016. This letter informed the District that on August 1, 2016, Ms. Bowe would be leaving the District for work outside of the education field. Ms. Bowe did not receive school board approval to be released from her contract in accordance with District policy GCQC/GCQD. The District informed Ms. Bowe that she was not duly released from her

contract and that a formal complaint would be filed with the State Board. On August 25, 2016, the District reported this matter to SCDE, requesting that the State Board take disciplinary action on Ms. Bowe's educator certificate.

On August 29, 2016, the SCDE sent notice to Ms. Bowe, by regular and certified mail, return receipt requested, delivery restricted to addressee, informing her of her right to a hearing and that the State board would meet to make a determination regarding the possible suspension of her South Carolina educator certificate. On September 2, 2016, Ms. Bowe received the notice as evidenced by a signed postal receipt bearing her signature. Ms. Bowe contacted the SCDE Office of General Counsel on September 8, 2016, and stated she did not object to the suspension of her educator certificate for one year. After considering the evidence presented, the State Board voted to suspend Ms. Bowe's educator certificate for a period of one year, commencing on October 11, 2016, and ending on October 10, 2017.

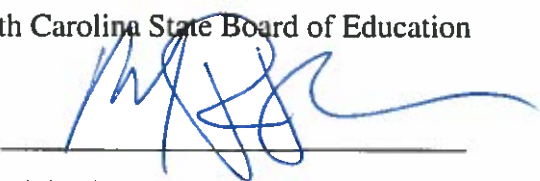
CONCLUSIONS OF LAW

"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*, "willful violation of the rules and regulations of the State Board of Education" and "unprofessional conduct." S.C. Code Ann. § 59-25-160 (3) and (4) (Rev. 2004). Pursuant to S.C. Code Ann. § 59-25-530 (Rev. 2004), "any teacher who fails to comply with the provisions of his contract without the written consent of the school board shall be deemed guilty of unprofessional conduct." 24 S.C. Code Ann. Regs. 43-58 (2) and (14) (2011), provide that 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 Ms. Bowe breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the District. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Jennifer N. Bowe, certificate 207231, for a period of one year, commencing on October 11, 2016, and ending on October 10, 2017. If Ms. Bowe 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. Bowe shall also pay the applicable reinstatement fee. The suspension of Jennifer N. Bowe's educator certificate 207231 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