

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
Abby Lee Matthews,	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 263709</u>	)	

SUMMARY OF THE CASE

On September 23, 2016, the South Carolina Department of Education (SCDE) attempted to serve Abby Lee Matthews 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. On December 14, 2016, Ms. Matthews contacted the SCDE, confirmed that she had received the notice via certified mail, but chose to waive her right to a hearing and enter into this Consent Order of Suspension.

After considering the evidence presented, the State Board voted to suspend Ms. Matthews' educator certificate for a period of one year, commencing on January 10, 2017, and ending on January 9, 2018.

FINDINGS OF FACT

This case concerns a formal complaint by Florence County School District Three (District) recommending the suspension of the educator certificate of Abby Lee Matthews 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. Matthews holds a South Carolina educator certificate and has three years of teaching experience. Ms. Matthews signed a Contractual Agreement with the District to serve as a teacher at Lake City Early Childhood Center for the 2016-2017 school year. On July 11, 2016, Ms. Matthews notified Angelia Scott, Director of Human Resources that she was resigning from the District. On August 11, 2016, the District informed Ms. Matthews that she was not duly released from her contract and that a formal complaint would be filed with the State Board. Thereafter, Ms. Matthews did not return to her position as requested. On September 15, 2016, the Board of Trustees of Florence School District Three took official action to approve the reporting of her breach of contract to the State Board of Education. On October 20, 2016, the District reported

Abby Lee Matthews
Certificate 263709
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11/3/17 Date

this matter to SCDE, requesting that the State Board take disciplinary action on Ms. Matthews' educator certificate.

Ms. Matthews was noticed of her right to a hearing and subsequently agreed to waive her right to a hearing and enter into this Consent Order of Suspension. In conversation with the SCDE, Ms. Matthews regrets she had to breach her contract with the District. Ms. Matthews reports that due to an unforeseen private family matter, she had to relocate immediately to another county and was unable to fulfill her contract.

After considering the evidence presented, the State Board finds that the evidence presented demonstrates that Ms. Matthews breached her contract with the District, and that just cause exists to suspend Ms. Matthews' for a period of one year, commencing on January 10, 2017, and ending on January 9, 2018.

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 24 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 Ms. Matthews breached her contract without the consent and/or approval of the District. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Ms. Matthews for a period of one year, commencing on January 10, 2017, and ending on January 9, 2018.

The suspension of Ms. Matthews' educator certificate 263709 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

Abby Lee Matthews
Certificate 263709
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<u>1/3/17</u> Date

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Ivan Randolph, Ph.D., Chair

Columbia, South Carolina

January 10, 2017

I, Abby Lee Matthews, S.C. Educator Certificate 263709, 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, coach or in any other position for a public school in the State of South Carolina. I understand that the terms set forth in this Consent Order 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 January 10, 2017.


Abby Lee Matthews

1/3/17
Date