

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Megan L. Williams,)
)
Certificate 257996)

ORDER OF SUSPENSION

(BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 9, 2017. On November, 23, 2016, December 5, 2016, and January 10, 2017, the South Carolina Department of Education (SCDE) served Megan L. Williams 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. Williams received the notice on January 14, 2017, as confirmed by the United States Postal Service tracking receipt. Ms. Williams has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented, the State Board voted to suspend Ms. Williams' educator certificate for a period of one year, commencing on May 9, 2017, and ending on May 8, 2018.

FINDINGS OF FACT

This case concerns a formal complaint by the Charleston County School District (District) recommending the suspension of the educator certificate of Megan L. Williams for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2016) and S.C. Code Ann § 59-25-530 (2016).

Ms. Williams holds a professional South Carolina educator certificate and has over five years of teaching experience. Ms. Williams signed a Contractual Agreement with the District to serve as a Gifted and Talented teacher for the 2016-2017 school year on April 21, 2016. On July 31, 2106, Ms. Williams submitted her resignation to the District, requesting that she be released immediately from her contract. On August 9, 2016, the District informed Ms. Williams that District policy required thirty days' notice and that the District expected her to continue to report to work until a suitable replacement was identified. The District also notified Ms. Williams that

her failure to report to work would be considered a breach of contract which could put her teaching certificate at risk. Ms. Williams failed to report to work. On August 23, 2016, the District notified Ms. Williams as a result of her failure to report to work, she was in breach of her contract and that the District Board could vote to submit this information to the State Board. On November 3, 2016, the District reported Ms. Williams' breach of contract to SCDE and requested that the State Board take disciplinary action on Ms. Williams' educator certificate.

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 (2016). 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) (Supp. 2016). Pursuant to S.C. Code Ann. § 59-25-530 (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) (2016), 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. Williams breached her contract, engaged in unprofessional conduct, and failed to comply with the provisions of her contract without the consent of the District.

The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Megan L. Williams, certificate 257996, for a period of one year, commencing on May 9, 2017, and ending on May 8, 2018. If Ms. Williams 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. Williams shall also pay the applicable reinstatement fee. The suspension of Megan L. Williams' educator certificate 257996 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

(signature page attached)

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Ivan Randolph, Ph.D., Chair

Columbia, South Carolina

May 9, 2017