

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Amanda Marie Conway,	)	(BREACH OF CONTRACT)
	)	
Certificate 286420	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 10, 2018. On January 2, 2018, and February 21, 2018, the South Carolina Department of Education (SCDE) sent Amanda Marie Conway a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate regarding her alleged breach of contract with the Rock Hill Schools/York County District Three (District). Ms. Conway received the certified mail on or before March 2, 2018, as evidenced by the signed postal receipt. Ms. Conway 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. Conway's educator certificate for a period of one year, commencing on April 10, 2018, and ending on April 9, 2019.

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FINDINGS OF FACT

This case concerns a formal complaint by the District seeking the suspension of the educator certificate of Amanda Marie Conway for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2017) and S.C. Code Ann. § 59-25-530 (2017).

On September 12, 2017, Ms. Conway signed an Annual/Formal Contract with the District for the 2017-2018 school year as a teacher at Northwestern High School (School).

On October 16, 2017, Ms. Conway resigned from her position, effective October 27, 2017. On October 16, 2017, the District notified Ms. Conway of the expectation that she

continue to work until a suitable replacement was secured by the District. On November 27, 2017, the District Board of Trustees voted to recommend the suspension of Ms. Conway's South Carolina teaching credential to the SCDE. On December 5, 2017, the District office notified Ms. Conway that she was not in compliance with Policy GCQC-GCQD – Resignation of Professional Staff, that her separation was deemed a breach of contract and that the matter had been presented to the District Board of Trustees. On December 5, 2017, the District reported the breach of contract to the SCDE.

After considering the evidence presented, the State Board voted to suspend Ms. Conway's educator certificate for a period of one year, commencing April 10, 2018, and ending on April 9, 2019.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." Just cause includes, *inter alia*, "unprofessional conduct" and "willful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (3) and (4) (2017). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (Supp. 2017), the State Board of Education has the legal authority, *inter alia*, to suspend a certificate for "willful neglect of duty" and "failure to comply with the provisions of a contract without the written consent of the local school board."

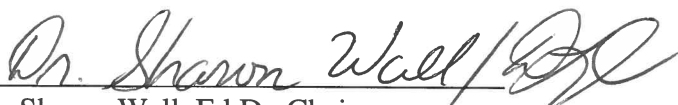
With respect to breach of contract, "any teacher who fails to comply with the provisions of his [of her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S.C. Code Ann. § 59-25-530 (2017). "Upon the formal complaint of the school board, substantiated by conclusive evidence, the state board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year." *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Conway breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provision of her contract without the written consent of the York County Board of Trustees. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Amanda Marie Conway, certificate 286420, for a period of one year, commencing April 10, 2018, and ending on

April 9, 2019. If Ms. Conway 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. Conway shall also pay all applicable reinstatement fees. The suspension of Ms. Conway's educator certificate 286420 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within 30 days from the date of this order with the reason stated as "unprofessional conduct, breach of contract, willful neglect of duty, and failure to comply with the provisions of a contract without the written consent of the local school board."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
April 10, 2018