

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
Lucas Benjamin Abrams	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 905872</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 14, 2018. On March 30, 2018, May 7, 2018, and June 7, 2018, the South Carolina Department of Education (SCDE) served Lucas Benjamin Abrams 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. On June 15, 2018, Mr. Abrams contacted the SCDE, confirmed that he had received the notice via United States mail, and agreed to waive his right to a hearing and enter into this Consent Order of Suspension.

After considering the evidence presented, the State Board voted to suspend Mr. Abrams' educator certificate for a period of one year, commencing on August 14, 2018, and ending on August 13, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County School District (District) recommending the suspension of the educator certificate of Lucas Benjamin Abrams 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).

Mr. Abrams was in his first year of teaching to pursue educator certification through the Career and Technology Education (CATE) program. On January 22, 2018, Mr. Abrams signed a Contractual Agreement with the District to serve as a teacher at Golden Strip Career Center for the 2017-2018 school year. Mr. Abrams spoke with a supervisor on February 23, 2018, regarding the possibility of his resignation due to a recent job offer outside of the education profession. On February 24, 2018, Mr. Abrams submitted his resignation. Mr. Abrams informed the SCDE that he has decided not to pursue a career in education at this time.

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On March 8, 2018, the District informed Mr. Abrams that in accordance with Board policy GBO, a release from employment is only obtained under exceptional circumstances and when a satisfactory replacement has been obtained, and that he was considered to be in breach of his contract. On March 27, 2018, the District Board of Trustees took official action to approve the reporting of Mr. Abrams' breach of contract to the State Board of Education. On March 28, 2018, the District reported this matter to the SCDE, requesting that the State Board take disciplinary action on Mr. Abrams' educator certificate.

After considering the evidence presented, the State Board finds that the evidence presented demonstrates that Mr. Abrams breached his contract with the District, and that just cause exists to suspend Mr. Abrams' certificate 905872 for a period of one year, commencing on August 14, 2018, and ending on August 13, 2019.

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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 (2017). 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) (2011), 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." The State Board finds that the evidence presented demonstrates that Mr. Abrams breached his contract without the consent and/or approval of the District.

The evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Mr. Abrams for a period of one year, commencing on August 14, 2018, and ending on August 13, 2019. If Mr. Abrams 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. Abrams shall also pay the applicable reinstatement fee.

The suspension of Mr. Abrams' educator certificate 905872 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

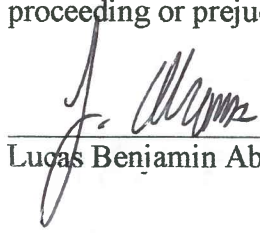
AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
August 14, 2018

I, Lucas Benjamin Abrams, SC Educator Certificate 905872, 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, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board for approval on August 14, 2018. I understand this Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter.


Lucas Benjamin Abrams

6-25-18
Date