

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Peter Joel Alewine,	)	(BREACH OF CONTRACT)
	)	
Certificate 258562	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 14, 2018. On May 14, 2018, the South Carolina Department of Education (SCDE) sent Peter Joel Alewine a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate regarding his alleged breach of contract with the Greenville County School District (District). Mr. Alewine received the certified mail on May 24, 2018, as evidenced by the signed postal receipt. Mr. Alewine 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 Mr. Alewine's educator certificate for a period of one year, commencing August 14, 2018, and ending on August 13, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by Greenville County School District seeking the suspension of the educator certificate of Peter Joel Alewine 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 April 6, 2017, Mr. Alewine signed a Continuing Contract with the District for the 2017-2018 school year, agreeing to serve as a teacher at Mauldin High School (School). Mr. Alewine resigned from his teaching position effective April 8, 2018. On March 28, 2018, the District informed Mr. Alewine that his resignation was not in compliance with Board Policy GBO. On April 24, 2018, the District Board of Trustees took official action to approve the reporting of Mr. Alewine's breach of contract to the State Board of Education. On May 11, 2018,

the District reported this matter to the SCDE, requesting that the State Board take disciplinary action on Mr. Alewine's educator certificate.

After considering the evidence presented, the State Board voted to suspend Mr. Alewine's educator certificate for a period of one year, commencing August 14, 2018, and ending on August 13, 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 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 Mr. Alewine breached his contract and engaged in unprofessional conduct, willfully neglected his duty, and failed to comply with the provision of his contract without the written consent of Greenville County School District's County Board of Trustees. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Peter Joel Alewine, certificate 258562, for a period of one year, commencing August 14, 2018, and ending on August 13, 2019. If Mr. Alewine 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. Alewine shall also pay all applicable reinstatement fees. The suspension of Mr. Alewine's educator certificate 258562 shall be reported to the NASDTEC Clearinghouse

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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
August 14, 2018