

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
Tracy L. Roe,	)	(BREACH OF CONTRACT)
	)	
Certificate 177888	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 12, 2018. On March 30, 2018, and April 19, 2018, the South Carolina Department of Education (SCDE) served Tracy L. Roe 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 May 7, 2018, Ms. Roe contacted the SCDE, confirmed that she had received the notice via United States mail, and agreed 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. Roe's educator certificate for a period of one year, commencing on June 12, 2018, and ending on June 11, 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 Tracy L. Roe 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. Roe holds a South Carolina educator certificate and has over seven years of teaching experience. On June 8, 2017, Ms. Roe signed a Contractual Agreement with the District to serve as a teacher at Cherrydale Elementary School for the 2017-2018 school year. On December 5, 2017, Ms. Roe submitted her resignation, effective January 3, 2018, citing personal and medical issues with her daughter who lived out of state. On December 13, 2017, the District informed Ms. Roe 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 she was considered to be in breach of her contract. On

Tracy L.
Roe
177888

Initial Here

5/29/18
Date

March 27, 2018, the District Board of Trustees took official action to approve the reporting of Ms. Roe's 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 Ms. Roe's educator certificate.

After considering the evidence presented, the State Board finds that the evidence presented demonstrates that Ms. Roe breached her contract with the District, and that just cause exists to suspend Ms. Roe's certificate 177888 for a period of one year, commencing on June 12, 2018, and ending on June 11, 2019.

Tracy L.
Roe
177888


Initial Here
5/29/18
Date

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. Roe breached her 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 Ms. Roe for a period of one year, commencing on June 12, 2018, and ending on June 11, 2019. If Ms. Roe 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. Roe shall also pay the applicable reinstatement fee.

The suspension of Ms. Roe's educator certificate 177888 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.

(signature page attached)

Tracy L. Roe
Consent Order of Suspension
June 12, 2018
Page 3

South Carolina State Board of Education

By: Sharon Wall
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
June 12, 2018

I, Tracy L. Roe, SC Educator Certificate 177888, 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 June 12, 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.

Tracy L. Roe
Tracy L. Roe

5/29/18
Date