

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
Anthony Alphonzo Washington	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 191852</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 13, 2018. On May 7, 2018, and May 16, 2018, the South Carolina Department of Education (SCDE) served Anthony Alphonzo Washington 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 26, 2018, Mr. Washington 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. Washington's educator certificate for a period of one year, commencing on November 13, 2018, and ending on November 12, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by the Jasper County School District (District) recommending the suspension of the educator certificate of Anthony Alphonzo Washington 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 August 10, 2017, Mr. Washington signed a Contractual Agreement with the District to serve as a teacher at the District for the 2017-2018 school year. On March 23, 2018, Mr. Washington submitted a resignation to the District, effective immediately. The resignation stated that Mr. Washington was ill and under a doctor's care at the time. Mr. Washington was also caring for a son that had suffered injuries in a car accident.

On April 19, 2018, Mr. Washington was reminded to send medical documentation supporting his reason for resignation. The letter informed Mr. Washington that he had until

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April 30, 2018, to submit the requested documentation. On April 16, 2018, the District Board voted to report Mr. Washington to the SCDE if the required documents were not produced prior to April 30, 2018. Mr. Washington did not submit the requested medical documentation to the District. On May 1, 2018, the District reported Mr. Washington's breach of contract to the State Board of Education. The reporting letter also noted that Mr. Washington was offered to apply for a Family and Medical Leave of Absence.

The State Board finds that the evidence presented demonstrates that Mr. Washington breached his contract with the District, and that just cause exists to suspend Mr. Washington's certificate 191852 for a period of one year, commencing on November 13, 2018, and ending on November 12, 2019.

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. Washington 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 Anthony Alphonzo Washington for a period of one year, commencing on November 13, 2018, and ending on November 12, 2019. If Mr. Washington 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. Washington shall also pay the applicable reinstatement fee.

The suspension of Mr. Washington's educator certificate 191852 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

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

Columbia, South Carolina
November 13, 2018

I, Anthony Alphonzo Washington, SC Educator Certificate 191852, 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 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 November 13, 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.

Anthony Alphonzo Washington
Anthony Alphonzo Washington

10/12/18
Date