

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
Aundra Christina Scott	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 285448</u>	)	

SUMMARY OF THE CASE

efm *October 9, 2018*
The South Carolina State Board of Education (State Board) considered this matter on ~~September 11, 2018~~. On July 10, 2018, and August 20, 2018, the South Carolina Department of Education (SCDE) served Aundra Christina Scott 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 August 22, 2018, Ms. Scott 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. Scott's educator certificate for a period of one year, commencing on September 11, 2018, and ending on September 10, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by District Five Schools of Spartanburg County (District) recommending the suspension of the educator certificate of Aundra Christina Scott 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 July 18, 2017, Ms. Scott signed a Letter of Agreement with the District to serve as a teacher at the District for the 2017-2018 school year. On February 20, 2018, Ms. Scott submitted a resignation to the District, effective March 2, 2018. On February 20, 2018, the District informed Ms. Scott the resignation was not accepted, she was in breach of her contract, and the breach of contract would be reported to the SCDE. On February 26, 2018, the District Board voted to report Ms. Scott to the SCDE. On July 9, 2018, the District reported Ms. Scott's breach of contract to the State Board of Education.

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Ms. Scott reported to the SCDE that her resignation was based on the acceptance of a job opportunity outside of teaching and outside of the education profession.

The State Board finds that the evidence presented demonstrates that Ms. Scott breached her contract with the District, and that just cause exists to suspend Ms. Scott's certificate 285448 for a period of one year, commencing on September 11, 2018, and ending on September 10, 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) (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." The State Board finds that the evidence presented demonstrates that Ms. Scott 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 Aundra Christina Scott for a period of one year, commencing on September 11, 2018, and ending on September 10, 2019. If Ms. Scott 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. Scott shall also pay the applicable reinstatement fee.

The suspension of Ms. Scott's educator certificate 285448 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)

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South Carolina State Board of Education

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

Columbia, South Carolina
~~September 11, 2018~~

ESW October 9, 2018

I, Aundra Christina Scott, SC Educator Certificate 285448, 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 ~~September 11, 2018~~ October 9, 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.

Aundra Christina Scott
Aundra Christina Scott

8/27/18
Date