

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Troy Rawls
Certificate 301239

**ORDER OF SUSPENSION
(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 12, 2022. On February 23, 2022, the South Carolina Department of Education (SCDE) sent Troy Rawls a notice via regular and certified mail, return receipt requested, of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. The regular mail has not been returned and the SCDE has verified Mr. Rawls' address. On March 10, 2022, the SCDE Mr. Rawls notice that this matter would be presented to the State Board on April 12, 2022. He has not contacted the SCDE to request a hearing and is now in default.

Considering the evidence presented, the State Board voted to suspend Mr. Rawls' educator certificate for a period of one year, commencing on April 12, 2022, and ending on April 11, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of the Cherokee County School District (District) seeking the suspension of the educator certificate of Mr. Rawls for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2018) and S.C. Code Ann. § 59-25-530 (2018).

On May 12, 2021, Mr. Rawls signed a contractual agreement to serve as a teacher with the District for the 2021-22 school year. On January 11, 2022, Mr. Rawls submitted his resignation to the District. Mr. Rawls was notified of the District resignation policy and that the resignation would be considered a breach of contract. Mr. Rawls did not report to the District after January

11, 2022. The District Board voted to report Mr. Rawls's breach of contract to the SCDE February 15, 2022. On February 18, 2022, the District reported the matter to the SCDE.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Mr. Rawls breached his contract with the District, and that just cause exists to suspend Mr. Rawls, certificate 301239, for a period of one year, commencing on April 12, 2022, and ending on April 11, 2023.

CONCLUSIONS OF LAW

"The South Carolina 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) (2018). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2018), the State Board of Education had the legal authority to suspend a certificate for "failure to comply with the provision 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 [or her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S. C. Code Ann. § 59-25-530 (2018). "Upon 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. Rawls breached his contract without the consent and/or approval of the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Troy Rawls for a period of one year, commencing on April 12, 2022, and ending on April 11, 2023.

If Mr. Rawls 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. Rawls shall also pay the applicable reinstatement fee. The suspension of Mr. Rawls' educator certificate 301239 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within

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thirty 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

s/Alan Walters

Alan Walters, Chair

Columbia, South Carolina

April 12, 2022