

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Monica Hughey
Certificate 280921

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 14, 2022. On November 22, 2021, the South Carolina Department of Education (SCDE) sent Monica Hughey a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate based on her breach of contract. Ms. Hughey timely requested a hearing in the matter. Prior to the hearing, Ms. Hughey contacted the SCDE to discuss an alternate resolution. Ms. Hughey has 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. Hughey's educator certificate for a period of one year, commencing June 14, 2022, and ending June 13, 2023.

FINDINGS OF FACT

This case concerns a formal complaint from the Greenville County School District seeking the suspension of the educator certificate of Ms. Hughey 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 6, 2021, Ms. Hughey signed a contractual agreement with Greenville County School District to serve as an educator for the 2021-22 school year. Ms. Hughey submitted her resignation on November 2, 2021, effective November 15, 2021, citing a desire to, "take a pause from teaching due to a change in family dynamics and the need to be available to support my children who have been ill on numerous occasions this

Monica Hughey
280921
s/MH
Initial
5/9/2022
Date

year.” Ms. Hughey also informed the Greenville County School District that she found a new position outside of education that would allow her to spend more time with her children. The Greenville County School District informed Ms. Hughey that she would be released from her contract once a suitable replacement was found via letter on November 10, 2021. On November 15, 2021, the School Board of Trustees voted to report Ms. Hughey’s breach of contract to the SCDE. On November 18, 2021, the District reported the matter to the SCDE.

After being notified of the pending action against her educator certificate, Ms. Hughey contacted the SCDE to discuss an alternate resolution. Ms. Hughey has agreed to the suspension of her educator certificate for a period of one year, beginning June 14, 2022, and ending June 13, 2023.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Hughey breached her contract with the District, and that just cause exists to suspend Ms. Hughey’s certificate 280921 for a period of one year, commencing on June 14, 2022, and ending June 13, 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

Monica Hughey
280921
s/MH
Initial
5/9/2022
Date

evidence, the State Board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year."

The State Board finds that the evidence presented demonstrates that Ms. Hughey breached her contract without the consent and/or approval of the Greenville County School District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Monica Hughey for a period of one year, commencing on June 14, 2022, and June 13, 2023. If Ms. Hughey 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. Hughey shall also pay the applicable reinstatement fee. The suspension of Ms. Hughey's educator certificate 280921 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within 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
June 14, 2022

Monica Hughey
280921
s/MH
Initial
5/9/2022
Date

Consent Order of Suspension
Monica Hughey, Certificate 280921
June 14, 2022
Page 4

I, Monica Hughey, S.C. Educator Certificate 280921, 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 that the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack, or judicial review. I have read the Consent Order of Suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented to the South Carolina State Board of Education for approval on Tuesday, June 14, 2022. I understand this Consent 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. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of “/s/ name” for required website publication.

s/Monica Hughey
Monica Hughey

5/9/2022
Date