

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Vernesha Williams
Certificate 293990

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2022. On November 19, 2021, and January 6, 2022 the South Carolina Department of Education (SCDE) sent Vernesha Williams notice via regular and certified mail, return receipt requested, of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. The regular mail has not been returned and the SCDE has verified Ms. Williams's address. On January 27, 2022, the SCDE sent Ms. Williams notice that the action against her certification would be presented to the State Board on March 8, 2022. She has not contacted the SCDE to request a hearing and is now in default.

Considering the evidence presented, the State Board voted to suspend Ms. Williams's educator certificate for a period of one year, commencing March 8, 2022, and ending on March 7, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of Orangeburg County School District (District) seeking the suspension of the educator certificate of Ms. Williams 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 10, 2021, Ms. Williams signed a contractual agreement with the District to serve as a Fourth Grade Teacher for Mellichamp Elementary School for the 2021-22 school year. On August 8, 2021, Ms. Williams submitted her resignation to the District, effective August 9, 2021. Ms. Williams was notified she would not be released from her contract until a suitable replacement was found. She did not return to fulfill her contract after August 11, 2021. The

District Board voted to report Ms. Williams's breach of contract to the SCDE on September 14, 2021. On September 16, 2021, the District reported the matter to the SCDE.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Williams breached her contract with the District, and that just cause exists to suspend Ms. Williams, certificate 293990, for a period of one year, commencing on March 8, 2022, and ending on March 7, 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 Ms. Williams breached her 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 Vernesha Williams for a period of one year, commencing on March 8, 2022, and ending on March 7, 2023.

If Ms. Williams 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. Williams shall also pay the applicable reinstatement fee. The suspension of Ms. Williams's educator certificate 293990 shall be reported to the NASDTEC Clearinghouse and all South

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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

March 8, 2022