

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Chantel Louise Simpson
Certificate 307078

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on October 11, 2022. On October 26, 2021, the South Carolina Department of Education (SCDE) sent a notice via regular and certified mail, return receipt requested, to Chantel Louise Simpson concerning the pending action against educator certificate 307078. Ms. Simpson thereafter timely requested a hearing which was held on September 7, 2022. This matter is properly before the State Board pursuant to S.C Code Ann. § 59-25-150 (2020) and referred to a hearing officer pursuant to S.C. Code Ann. 59-5-70 (2020).

After considering the evidence, testimony, and the report and recommendations presented, the State Board voted to suspend Ms. Simpson's educator certificate 307078, for a period of one year, commencing on October 11, 2022, and ending on October 10, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of the Fort Mill School District, York County School District 4 (District) seeking the suspension of the educator certificate of Ms. Simpson 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 July 20, 2021, Ms. Simpson signed a contractual agreement with the District to serve as a school psychologist for the 2021-22 school year. On September 15, 2021, Ms. Simpson submitted her resignation to the District, effective September 24, 2021. Ms. Simpson was notified she would not be released from her contract until a suitable replacement was found, and that two school psychologist positions in the District were also unfilled. Ms. Simpson stated she was

resigning due to her spouse's new job position. However, when it was requested by the District, Ms. Simpson was unable to provide paperwork demonstrating the need for the move.

Ms. Simpson did not return to fulfill her contract. The District Board voted to report Ms. Simpson's breach of contract to the SCDE on October 5, 2021. On October 22, 2021, the District reported the matter to the SCDE.

At the hearing, Ms. Simpson did not contest breaching her contract. In determining the length of the suspension, the Hearing Officer noted that Ms. Simpson's testimony during the hearing failed to answer numerous issues. This included the lack of paperwork to demonstrate the relocation of her spouse's job. The Hearing Officer noted the District made numerous attempts to obtain proper documentation from Ms. Simpson but never received it. Other mitigating circumstances regarding Ms. Simpson's family obligations were also brought up at the hearing that were not presented to the District at the time of her resignation.

After considering the evidence presented, the State Board finds just cause for the suspension of Ms. Simpson's educator certificate for a period of one year, commencing on October 11, 2022 and ending on October 10, 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) (2020). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2020), 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 (2020). "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. Simpson 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 Chantel Louise Simpson for a period of one year, commencing on October 11, 2022, and ending on October 10, 2023.

AND IT IS SO ORDERED.

South Carolina Board of Education

s/Alan Walters
Alan Walters, Chair

Columbia, South Carolina
October 11, 2022