

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Kayla McKenzie Jones
Certificate 274561

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

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on March 12, 2024. On February 13, 2023, the South Carolina Department of Education (SCDE) sent a notice via regular and certified mail, return receipt requested, to Kayla McKenzie Jones concerning the pending action against educator certificate 274561. Ms. Jones thereafter timely requested a hearing. Prior to the hearing being scheduled, Ms. Jones contacted the SCDE to withdraw her hearing request. She is now being presented as a default.

After considering the evidence, the State Board voted to suspend the certificate of Ms. Jones' certificate 274561, for a period of one year, commencing on March 12, 2024, and ending on March 11, 2025.

FINDINGS OF FACT

This case concerns a formal complaint from Spartanburg School District Five (District) seeking the suspension of the educator certificate of Ms. Jones for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2020) and S.C. Code Ann. § 59-25-530 (2020).

On April 12, 2022, Ms. Jones signed a contractual agreement with the District to serve as a teacher for the 2022-2023 school year. On November 18, 2022, Ms. Jones submitted her resignation to the District, effective December 16, 2022. She did not provide a reason for her resignation. Ms. Jones was notified she would not be released from her contract until a suitable replacement was found. She did not return to fulfill her contract. The District Board voted to report Ms. Jones' breach of contract to the SCDE on January 30, 2023. On January 31, 2023, the District reported the matter to the SCDE.

After considering the evidence presented, the State Board finds just cause for the suspension of Ms. Jones' educator certificate for a period of one year, commencing on March 12, 2024 and ending on March 11, 2025.

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) (2021), the State Board of Education has 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. Jones 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 Kayla McKenzie Jones for a period of one year, commencing on March 12, 2024, and ending on March 11, 2025.

If Ms. Jones 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. Jones shall also pay the applicable reinstatement fee. The suspension of Ms. Jones' educator certificate 274561 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."

Kayla McKenzie Jones, Certificate 274561

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AND IT IS SO ORDERED.

South Carolina Board of Education

s/David C. O'Shields

David C. O'Shields, Chair

Columbia, South Carolina

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