

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Craig Alan Parker,)
)
Certificate 247751)
_____)

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 14, 2012. On February 1, 2012, the South Carolina Department of Education (SCDE) sent Craig Alan Parker a notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. On February 2, 2012, Mr. Parker received the notice as evidenced by a domestic return receipt bearing his name. Mr. Parker did not submit a written request to the SCDE for a hearing within the allowed timeframe and is in default.

After considering the evidence presented, the State Board voted to suspend Mr. Parker's educator certificate for a period of one year, commencing on March 14, 2012, and ending on March 13, 2013.

FINDINGS OF FACT

This case concerns a formal complaint by the Charleston County School District (District) seeking the suspension of the educator certificate of Craig Alan Parker for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann § 59-25-530 (2004).

Mr. Parker holds a valid South Carolina educator certificate and has over three years of teaching experience. On May 9, 2011, Mr. Parker signed a Contractual Agreement with the District for the 2011-2012 school year to work as a teacher at Burke High School. On August 22, 2011, the District sent a letter to Mr. Parker informing him that since he had failed to report to duty on August 10, 2011, the District had dismissed him for abandonment of employment. On September 6, 2011, Mr. Parker sent in a letter to the District appealing his termination. On October 6, 2011, the Superintendent heard Mr. Parker's appeal. Based on the evidence and

information provided, the Superintendent instructed staff to conduct an in-depth review of Mr. Parker's situation. The District contacted Mr. Parker and requested that Mr. Parker submit documentation concerning his leave and his fitness for duty. After repeated attempts by the District, Mr. Parker failed to provide the required documentation. On November 22, 2011, the District was notified that Mr. Parker had left the state. On December 6, 2011, the District sent a letter to Mr. Parker informing him that the Superintendent was upholding her decision to terminate him for breach of contract. On December 12, 2011, Mr. Parker sent a letter stating that he wished to appeal the Superintendent's decision to terminate his employment with the District for breach of contract. On January 25, 2012, the Chair of the Charleston County School District Board of Trustees (Board) sent a letter to Mr. Parker stating that the Board had received his appeal of his termination. The letter informed Mr. Parker that the Board received documentation relevant to his appeal hearing before the Superintendent and reviewed the materials in accordance with Section 59-26-40 of the South Carolina Code of Laws. The Board voted to uphold the decision of the Superintendent at its January 24, 2012, meeting. The letter informed Mr. Parker that the official date of his termination from the District was January 24, 2012.

On February 1, 2012, the SCDE sent Mr. Parker a notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate for breach of contract by regular and certified mail, return receipt requested, delivery restricted to addressee. On February 2, 2012, Mr. Parker received the notice as evidenced by a domestic return receipt bearing his name. Mr. Parker did not submit a written request to the SCDE for a hearing and is in default.

After considering the evidence presented, the State Board voted to suspend Mr. Parker's educator certificate for a period of one year, commencing on March 14, 2012, and ending on March 13, 2013.

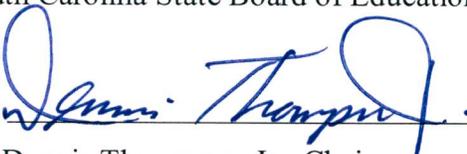
CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes, *inter alia*, "unprofessional conduct" and "wilful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (3) and (4) (2004). Pursuant to 24 S.C. Code Regs.

43-58 (2) and (14) (2011), the State Board of Education has the legal authority, *inter alia*, to suspend a certificate for “wilful neglect of duty” and “failure to comply with the provisions of a contract without the written consent of the local school board.” The State Board finds that the evidence presented demonstrates that Mr. Parker breached his contract and engaged in unprofessional conduct, wilfully neglected his duty, and failed to comply with the provisions of his contract without the written consent of the Charleston County School District’s Board of Trustees. The evidence presented further supports the State Board’s determination that just cause exists to suspend the educator certificate of Craig Alan Parker, certificate 247751, for a period of one year, commencing on March 14, 2012, and ending on March 13, 2013. If Mr. Parker 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 Certification, Recruitment, and Preparation, and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Parker shall also pay all applicable reinstatement fees. The suspension of Mr. Parker’s educator certificate 247751 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 for breach of contract, wilful 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

By: 
Dennis Thompson, Jr., Chair

Columbia, South Carolina
March 14, 2012