

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of) **ORDER OF SUSPENSION**
)
Ebony Denetra Williams,) **(BREACH OF CONTRACT)**
)
Certificate 210988)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 8, 2015. On February 3, 2015, the South Carolina Department of Education (SCDE) sent Ebony Denetra Williams notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, 210988, by regular and certified mail, return receipt requested. On February 7, 2015, Ms. Williams received the notice as evidenced by a signed postal receipt. Ms. Williams did not contact SCDE to request a hearing in this matter and is in default.

After considering the evidence presented, the State Board voted to suspend Ms. Williams’s educator certificate for a period of one year, commencing on April 8, 2015, and ending on April 7, 2016.

FINDINGS OF FACT

This case concerns a formal complaint by the Marion County School District (District) seeking the suspension of the educator certificate of Ebony Denetra Williams for unprofessional conduct as a result of her breach of contract with the District.

Ms. Williams holds a valid South Carolina educator certificate and has twelve years of teaching experience. On July 14, 2014, Ms. Williams signed a Contractual Agreement with the District for the 2014-2015 school year to work as a teacher at the McCormick Elementary School

(School). On November 21, 2014, Ms. Williams sent a letter of resignation to the District stating that she was resigning from her position at the School, effective December 15, 2014, because she was relocating to North Carolina to pursue other endeavors. On November 24, 2014 the District Deputy Superintendent, District Director of Human Resources, and School principal met with Ms. Williams and notified her that she would be released from her employment obligations to the District once a suitable replacement was hired. On December 4, 2014, the District gave Ms. Williams the above notice in writing and, additionally, notice that her request would be formally presented to the Marion County Board of Education (Board). Ms. Williams did not return to work after December 15, 2014. On January 22, 2015, the District gave Ms. Williams written notice that she was not being released from her contractual obligations and that the Board did not accept her resignation request. The notice also informed Ms. Williams that her decision to leave her position without proper release was considered a breach of contract and would be reported to the SCDE. On January 23, 2015, the District informed the SCDE that on January 20, 2015, the Board had voted to report the breach of contract to SCDE in order for action to be taken regarding Ms. Williams's South Carolina educator certificate. The District's policy on employee resignations and contract releases states that unless a teacher is formally released from his/her contract, the District expects the teacher to report for duty.

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After considering the evidence presented, the State Board voted to suspend Ms. Williams's educator certificate for a period of one year, commencing on April 8, 2015, and ending on April 7, 2016.

CONCLUSIONS OF LAW

The State Board of Education, upon careful review of the evidence presented, makes the following conclusions of law in this matter:

- (1) The State Board of Education has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004), which provides "The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person," and S.C. Code Ann § 59-25-530 (2004), which provides, "Any teacher who fails to comply with the provisions of his contract without the written consent of the school board shall be deemed guilty of unprofessional conduct."
- (2) Just cause is statutorily defined to include "unprofessional conduct," "willful neglect of duty," and "willful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (2004).
- (3) 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 teaching certificate for "willful neglect of duty" and "failure to comply with the provisions of a contract without the written consent of the local school board."
- (4) The evidence presented demonstrates that Ms. Williams engaged in unprofessional conduct by breaching her contract, willfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the Marion County School Board.

(5) The evidence presented supports the State Board's conclusion that just cause exists to suspend the educator certificate of Ebony Denetra Williams, certificate 210988, for a period of one year, commencing on April 8, 2015, and ending on April 7, 2016.

Now, therefore, it is ordered that the educator certificate of Ebony Denetra Williams, certificate 210988, is hereby suspended for a period of one year, beginning April 8, 2015, and ending April 7, 2016. This suspension of certificate 210988 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order. If Ms. Williams wishes to have her educator certificate reinstated at the end of the suspension period, she must meet all current certification requirements and shall submit a written request to the SCDE's Office of Educator Services. Ms. Williams shall be responsible for the payment of all applicable fees, including any reinstatement fees.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 

Traci Young Cooper, Ed.D., Chair

Columbia, South Carolina

April 8, 2015