

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Jessica A. Woods)
)
Certificate 211403)
_____)

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 8, 2014. On May 7, 2014, and September 4, 2014, the South Carolina Department of Education (SCDE) sent Jessica A. Woods a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate for breach of contract, certificate 211403, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Woods' failed to claim her certified mail. Ms. Woods was personally served by the Greenville County Sheriff's Office on September 8, 2014, as evidenced by the Affidavit of Service signed by Office Monahan. Ms. Woods did not request a hearing and is in default.

After considering the evidence presented, the State Board voted to suspend Ms. Woods' educator certificate for a period of one year, commencing on October 8, 2014, and ending on October 7, 2015.

FINDINGS OF FACT

The case concerns a formal complaint by the Greenville County School District (District) seeking the suspension of the educator certificate of Jessica Woods 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).

Ms. Woods holds a valid South Carolina educator certificate and has over five years of teaching experience. The District employed Ms. Woods as a teacher beginning August 30, 2011. During the 2013-2014 school year, the District employed Ms. Woods as a social studies teacher at Lakeview Middle School. On February 7, 2014, Ms. Woods submitted her letter of resignation from her position as a seventh grade teacher at Lakeview Middle School, stating that she had found a job that offered a substantial amount of money that would help alleviate her current financial state. The Principal contacted Ms. Woods by telephone, and explained what the possible consequences that could result from breaching her contract. Ms. Woods stated that she could not pass up this opportunity and was aware of the consequences that result from her breach of contract with the District would be. The Principal noted that Ms. Woods was not concerned about her certification status, although she did express that she may like to return to the District in the future to teach.

On February 21, 2014, the Executive Director of Human Resources sent a letter to Ms. Woods informing her that she had failed to meet the guidelines provided within District policy and failed to comply with the provisions of her contract without being duly released. The letter also informed Ms. Woods that her decision to leave her position without proper release was considered a breach of contract while abandoning her job.

On March 25, 2014, the Greenville County Board of Trustees voted to recommend that the suspension of Ms. Woods' certification be reported to the State Board for breach of contract. The District reported this matter to the SCDE on April 29, 2014.

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breach of contract by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Woods failed to claim her certified mail. Ms. Woods was personally served by the Greenville County Sheriff's Office on September 8, 2014, as evidence the Affidavit of Service signed by Office Monahan. Ms. Woods did not request a hearing and is in default. After considering the evidence presented, the State Board finds that the evidence presented demonstrates that Ms. Woods breached her contract with the District, and that just cause exists to suspend Ms. Woods' educator certificate for a period of one year, commencing on October 8, 2014, and ending on October 7, 2014.

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 "willful 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 2 S.C. Code Regs. 43-58 (2) and (14) (Supp. 2012), the State Board of Education has the legal authority to suspend, *inter alia*, a 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." The State Board finds that the evidence presented demonstrates that Ms. Woods breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the District. The evidence presented further supports the State board's determination that just cause exists to suspend the educator certificate of Jessica A. Woods, certificate 211403, for a period of one year, commencing on October 8, 2014, and ending on October 7, 2015. If Ms. Woods wishes to have her certificate reinstated at the end of

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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. Woods shall also be responsible for paying any applicable reinstatement fees. The suspension of Ms. Woods' educator certificate 211403 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Barry F. Bolen, Chair

Columbia, South Carolina
October 8, 2014