

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of	)	
	)	ORDER OF SUSPENSION
Samantha Lavon Hines	)	
	)	(BREACH OF CONTRACT)
Educator Certificate #284199	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 14, 2019. The South Carolina Department of Education (SCDE) notified Samantha Lavon Hines her right to a hearing regarding the possible suspension of her South Carolina Educator Certificate by letter dated January 3, 2019, via certified and regular U.S. Mail. Ms. Hines timely requested a hearing. On March 21, 2019, a hearing was held concerning Ms. Hines' alleged breach of contract with Rock Hill School District Three (District).

After considering the evidence presented, the State Board hereby voted to suspend Ms. Hines' educator certificate for a period of one year, commencing on May 14, 2019, and ending on May 12, 2020.

FINDINGS OF FACT

This case concerns a formal complaint by the District seeking the suspension of Ms. Hines educator certificate 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).

Ms. Hines holds a valid South Carolina educator certificate and was employed by the District as a second-grade teacher at Oakdale STEAM Elementary School (School). She signed a contract with the District for the 2018-2019 school year on April 22, 2018. By letter dated November 19, 2018, Ms. Hines resigned her position, effective November 30, 2018. She did not give a reason for her resignation.

Following the submission of her resignation, Ms. Hines informed her principal she resigned for family reasons. During the SCDE, Ms. Hines testified to the reasons for her resignation. However, the hearing officer did not find Ms. Hines' reasoning to be persuasive. Due to her resignation, Ms. Hines' second grade class was subjected to three separate teachers in one school year as a long-term substitute filled the position before a certified replacement could be found.

After considering the evidence presented at the March 21, 2019, hearing and the Hearing Officer's Report and Recommendation, the State Board finds that the evidence presented demonstrates that Ms. Hines breached her contract with the District. Accordingly, the Board finds that just cause exists to suspend Ms. Hines' educator certificate for a period of one year, commencing on May 14, 2019, and ending on May 12, 2020.

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 (2018). Just cause includes, *inter alia*, "unprofessional conduct". S.C. Code Ann. § 59-25-160 (4) (2018). S. C. Code Ann. §59-25-530 (2018) provides that a teacher who fails to comply with the provisions of his or her contract without the written consent of the school board is deemed guilty of unprofessional conduct and subject to suspension of the educator certificate for up to one calendar year.

The State Board finds that the evidence presented demonstrates that Ms. Hines engaged in unprofessional conduct by failing to comply with the provisions of her contract without the written consent of the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Samantha Lavon Hines, Educator Certificate 284199, for a period of one year, commencing on May 14, 2019, and ending on May 12, 2020.

If Ms. Hines 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. Hines shall also pay all applicable reinstatement fees. The suspension of Ms. Hines' educator certificate 284199 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty (30) days from the date of this order with the reason stated as "unprofessional conduct for breach of contract and failure to comply with the provisions of a contract without the written consent of the local school board."

AND IT IS SO ORDERED.

(Signature page attached.)

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South Carolina State Board of Education

By: 
Del-Gratia Jones, Chair

Columbia, South Carolina
May 14, 2019