

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
April Marie Jackson	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 288975</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 12, 2019. On November 20, 2018, the South Carolina Department of Education (SCDE) served April Marie Jackson a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Jackson received the notice and timely requested a hearing in this matter. Prior to the hearing, Ms. Jackson's legal counsel contacted the SCDE and agreed Ms. Jackson waived her right to a hearing and would enter into this Consent Order of Suspension.

After considering the evidence presented, the State Board voted to suspend Ms. Jackson's educator certificate for a period of one year, commencing retroactively on October 3, 2018, and ending on October 2, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by Orangeburg Consolidated School District Five (District) recommending the suspension of the educator certificate of April Marie Jackson for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2017) and S.C. Code Ann § 59-25-530 (2017).

On March 10, 2018, Ms. Jackson signed a Contractual Agreement with the District to serve as a teacher for the 2018-19 school year. October 1, 2018, Ms. Jackson submitted a resignation to the District, effective October 3, 2018. On October 2, 2018, the District informed Ms. Jackson's resignation would be accepted if a suitable replacement was found. However, Ms. Jackson did not report to work after October 3, 2018. On November 15, 2018, the District Board voted to report Ms. Jackson to the SCDE as a breach of contract.

The State Board finds that the evidence presented demonstrates that Ms. Jackson breached her contract with the District, and that just cause exists to suspend Ms. Jackson's

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certificate 288975 for a period of one year, commencing retroactively on October 3, 2018, and ending on October 2, 2019.

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 (2017). 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) (2017). 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 "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. Jackson breached her contract without the consent and/or approval of the District.

The evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of April Marie Jackson for a period of one year, commencing retroactively on October 3, 2018, and ending on October 2, 2019. If Ms. Jackson 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. Jackson shall also pay the applicable reinstatement fee.

The suspension of Ms. Jackson's educator certificate 288973 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:


Del-Gratia Jones, Chair

Columbia, South Carolina
March 12, 2019

(Signature page attached.)

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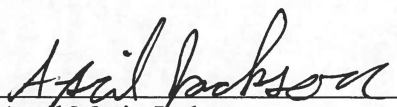
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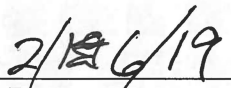
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I, April Marie Jackson, SC Educator Certificate 288975, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board for approval on March 12, 2019. I understand this Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter.


April Marie Jackson


Date