

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
Of the Educator Certificate of)
)
Adam G. Jones)
)
Certificate 235836)

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. The South Carolina Department of Education (SCDE) had sent Adam G. Jones a notice of his rights to a hearing regarding the possible suspension of his South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to the addressee. Mr. Jones requested a hearing in a timely fashion. On December 14, 2011, a hearing was held concerning Mr. Jones' alleged Breach of contract with the Greenville County School District.

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

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County School District (District) seeking the suspension of the educator certificate of Adam G. Jones 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. Jones holds a valid South Carolina educator certificate and had been employed as a teacher by the Greenville County Schools since 2007. On April 13, 2011, Mr. Jones signed a Contractual Agreement with the Greenville County School District to work as a first grade teacher for the 2011-2012 school year. Mr. Jones subsequently requested professional development leave for the 2011-2012 school year which was granted May 18, 2011. On July 11,

2011 Mr. Jones requested that his professional development leave be rescinded and that he be assigned to a teaching position for the 2011-2012 school year.

He was assigned to Greenbrier Elementary School as a Kindergarten teacher effective August 10, 2011. August 17, 2011, the first day of school for the kindergarten students Mr. Jones gave his Principal a letter of resignation. Mr. Jones left the next day, August 18, 2011. The proper procedures were followed and on December 14, 2011, a hearing was held concerning Mr. Jones alleged breach of contract with the Greenville County School District.

After considering the evidence presented, the State Board finds that the evidence presented that Mr. Jones breached his contract with the District, and that just cause exists to suspend Mr. Jones' educator certificate for a period of one year, commencing on March 14, 2012, and ending March 13, 2013.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." 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 24 S.C. Code Regs. 43-58 (2) and (14) (Supp. 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 Mr. Jones breached his contract and engaged in unprofessional conduct, willfully neglected his duty, and failed to comply with the provision of his contract without the written consent of the Greenville County Board of Education. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Adam G. Jones certificate 235835, for a period of one year, commencing March 14, 2012, and ending March 13, 2013. If Mr. Jones 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. Jones shall also pay all applicable reinstatement fees. The suspension of Mr. Jones' educator certificate 235836 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within 30 days from the date of this order with the reason stated as "unprofessional conduct, breach of contract, willful 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, Chair

Columbia, South Carolina
March 14, 2012