

In the Matter of the Discipline)
)
of the Educator Certificate of)
)
Marvele Patreka Eason)
)
Certificate 274475)

(BREACH OF CONTRACT)

The South Carolina State Board of Education (State Board) considered this matter on November 14, 2017. The South Carolina Department of Education (SCDE) notified Marvelle Patreka Eason (Eason) of her right to a hearing regarding the possible suspension of her South Carolina Educator Certificate by letter dated August 7, 2017, sent via certified and regular U.S. Mail. Eason timely requested a hearing. On October 13, 2017, a hearing was held concerning Eason's alleged Breach of Contract with the Fairfield County School District (District).

After considering the evidence presented, the State Board hereby voted to suspend Eason's educator certificate for a period of one (1) calendar year, commencing on November 14, 2017, and ending on November 14, 2018.

This case concerns a formal complaint by the District seeking the suspension of the Educator Certificate of Eason 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).

Eason holds a valid South Carolina Educator Certificate and was employed by the District as a first grade teacher at the Fairfield County Magnet School for Math and Science. She signed a contract with the District for the 2016-2017 school year on May 11, 2016. Her contract stated that professional staff members must give thirty days written notice to the Superintendent and a suitable replacement must be found in order to be released from a contract.

On or about September 12, 2017, Eason submitted a resignation to her principal via email which was effective on that day. Her stated reasons for resigning were that she was experiencing stress and anxiety and felt that her health was at risk. The Superintendent, the principal, and the Director of Human Resources met with Eason the next day. Eason was offered a day of professional development which occurred on September 15, 2017. However, Eason

never returned to the classroom. In October 2016, Eason applied to Orangeburg District 5 for a teaching position but was not hired.

By letter dated November 4, 2017, the District notified Eason that she would be in breach of contract if she left the District without the District finding a suitable replacement for her position. She was further advised that the District would file a formal complaint with the State Board of Education requesting revocation or suspension of her teaching certificate.

On or about November 15, 2017, the Fairfield County School District Board of Trustees voted that a formal complaint be sent to SCDE regarding Eason's abandonment of her position. Eason was notified of this action by letter dated December 13, 2016.

The District could not find a replacement for Eason for the remainder of the school year. Therefore, the District was forced to use the services of a temporary agency. The first grade students went through six teachers that year including Eason. Parents complained about the class disruption of so many substitutes and two students were removed from the school by their parents because they were concerned about the quality of the education they were receiving.

The South Carolina Department of Education (SCDE) sent Eason 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. Eason timely requested a hearing. On October 13, 2017, a hearing was held concerning Eason's alleged Breach of Contract with the District.

After considering the evidence presented at the October 13, 2017 hearing, the State Board finds that the evidence presented demonstrates that Eason breached her contract with the District. As such, a suspension of her Educator Certificate is warranted. Further, Eason's conduct harmed the district and the students in that all were placed at a disadvantage by having to resort to a variety of different temporary teachers for the remainder of the school year. Accordingly, the Board finds that just cause exists to suspend Eason's Educator Certificate for a period of one (1) calendar year, commencing on November 14, 2017, and ending on November 14, 2018.

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”. S.C. Code Ann. § 59-25-160 (4) (2004).

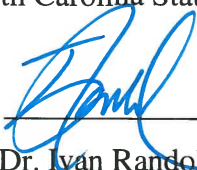
S. C. Code Ann. §59-25-530 (2004) provides that a teacher who fails to comply with the provisions of his or her contract without the written consent of the school board is deemed guilty of unprofessional conduct and subject to suspension of the educator certificate for up to one calendar year.

The State Board finds that the evidence presented demonstrates that Eason 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 Marvele Patreka Eason, Educator Certificate #274475, for a period of one (1) calendar year, commencing on November 14, 2017, and ending on November 14, 2018. If Ms. Eason 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 Certification, Recruitment, and Preparation, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Eason shall also pay all applicable reinstatement fees. The suspension of Ms. Eason’s Educator Certificate #274475 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, failure to comply with the provisions of a contract without the written consent of the local school board, and for providing inconsistent testimony under oath.”

Easson, Marvele Patreka
Order of Suspension
November 14, 2017
Page 4

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 

Dr. Ivan Randolph, Chair

Columbia, South Carolina
November 14, 2017