

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Ormond Fandolph Cottle, Jr.	)	(BREACH OF CONTRACT)
	)	
Educator Certificate #261443	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 12, 2018. The South Carolina Department of Education (SCDE) notified Ormond Fandolph Cottle (Mr. Cottle) of his right to a hearing regarding the possible suspension of his South Carolina Educator Certificate by letter dated December 5, 2017, sent via certified and regular U.S. Mail. Cottle timely requested a hearing. On April 19, 2018, a hearing was held concerning Mr. Cottle's alleged Breach of Contract with the Chester County School District (District).

After considering the evidence presented, the State Board hereby voted to suspend Mr. Cottle's educator certificate for a period of one (1) calendar year, commencing on June 12, 2018, and ending on June 11, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by the District seeking the suspension of the Educator Certificate of Cottle 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. Cottle holds a valid South Carolina Educator Certificate and was employed by the District as a Mathematics teacher at Chester Middle School. He signed a continuing contract with the District for the 2017-2018 school year on April 7, 2017. The written policy of the District states that professional staff members must give forty-five days written notice of their resignation to their principal, their immediate supervisor and the District Superintendent. It further states that a suitable replacement must be found in order to be released from a contract. The teacher must report for duty at his/her school until being formally released from his/her contract.

On or about November 15, 2017, Mr. Cottle submitted his resignation via email to his school principal. The resignation stated that he had accepted a position with Amazon and that his

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 Cottle engaged in unprofessional conduct by failing to comply with the provisions of his 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 Ormond Fandolph Cottle, Educator Certificate #261443, for a period of one (1) calendar year, commencing on June 12, 2018, and ending on June 11, 2019. If Mr. Cottle 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. Cottle shall also pay all applicable reinstatement fees. The suspension of Mr. Cottle’s Educator Certificate #261443 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.

South Carolina State Board of Education

By: Sharon Wall
Dr. Sharon Wall, Chair

Columbia, South Carolina
June 12, 2018