

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Stephanie J. Jenkins,	)	(BREACH OF CONTRACT)
	)	
Certificate 222973	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 12, 2018. On April 9, 2018, the South Carolina Department of Education (SCDE) sent Stephanie J. Jenkins a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate regarding her alleged breach of contract with Richland County School District One (District). Ms. Jenkins received the certified mail on April 13, 2018, as evidenced by the signed postal receipt. Ms. Jenkins has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Jenkin's educator certificate for a period of one year, commencing 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 Stephanie J. Jenkins 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 August 10, 2017, Ms. Jenkins signed an Induction Contract with the District for the 2017-2018 school year, agreeing to serve as a dance teacher at Keenan High School (School). On December 15, 2017, Ms. Jenkins resigned from her teaching position. On January 8, 2018, the District informed Ms. Jenkins that in accordance with Board policy the release would be approved upon the successful hiring of a replacement. On February 27, 2018, the District notified Ms. Jenkins of her breach of contract matter based upon a second resignation letter on January 22, 2018 stating that her resignation was effective the same day, and that Ms. Fields had

not reported to work since that time. On March 27, 2018, the District Board of Trustees took official action to approve the reporting of Ms. Jenkin's breach of contract to the State Board of Education. On March 28, 2018, the District reported this matter to the SCDE, requesting that the State Board take disciplinary action on Ms. Johnson's educator certificate.

After considering the evidence presented, the State Board voted to suspend Ms. Jenkin's educator certificate for a period of one year, commencing June 12, 2018, and ending on June 11, 2019.

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) (2017). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (Supp. 2017), 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."

With respect to breach of contract, "any teacher who fails to comply with the provisions of his [of her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S.C. Code Ann. § 59-25-530 (2017). "Upon the formal complaint of the school board, substantiated by conclusive evidence, the state board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year." *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Jenkins breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provision of her contract without the written consent of Richland County School District One's County Board of Trustees. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Stephanie J. Jenkins, certificate 222973, for a period of one year, commencing June 12, 2018, and ending on June 11, 2019. If Ms. Jenkins 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

Stephanie J. Jenkins
Order of Suspension
June 12, 2018
Page 3

reinstatement. Ms. Jenkins shall also pay all applicable reinstatement fees. The suspension of Ms. Jenkin's educator certificate 222973 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: Sharon Wall
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
June 12, 2018