

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension )  
 )  
of the Educator Certificate of )  
 )  
Charlotte Grace Manthey, )  
 )  
Certificate 281836 )  
\_\_\_\_\_ )

**ORDER OF SUSPENSION**

**(BREACH OF CONTRACT)**

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on May 8, 2018. On March 30, 2018, the South Carolina Department of Education (SCDE) sent Charlotte Grace Manthey 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 the Charleston County District (District). Ms. Manthey received the notice as evidenced by the U.S. Postal confirmation. Ms. Manthey 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. Manthey's educator certificate for a period of one year, commencing on May 8, 2018, and ending on May 7, 2019.

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**FINDINGS OF FACT**

This case concerns a formal complaint by the District seeking the suspension of the educator certificate of Charlotte Grace Manthey 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 April 26, 2017, Ms. Manthey signed an Annual Goals-Based Contract with the District for the 2017-2018 school year as a teacher at Deer Park Middle School (School). On January 8, 2018, Ms. Manthey resigned from her teaching position, effective January 19, 2018, noting that she had accepted a teaching position in Michigan. On January 9, 2018, the District notified Ms. Manthey that her release of contract was contingent upon a 30-day notice in

accordance with District Policy and that she had certain duties and responsibilities to the District that she was expected to fulfill. Ms. Manthey responded that she was aware of the consequences of the 30 day notice issue, but that her last day would be January 19, 2018. On February 26, 2018, the Board of Trustees voted to approve the reporting of Ms. Manthey for breach of contract to the SCDE. On March 27, 2018, the District reported the breach of contract to the SCDE.

After considering the evidence presented, the State Board voted to suspend Ms. Manthey's educator certificate for a period of one year, commencing May 8, 2018, and ending on May 7, 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. Manthey 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 the Charleston County Board of Trustees. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Charlotte Grace Manthey, certificate 281836, for a period of one year, commencing May 8, 2018, and ending on May 7, 2019. If Ms. Manthey 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. Manthey shall also pay all applicable reinstatement fees. The suspension of Ms. Manthey's educator certificate 281836 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  
May 8, 2018