

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)

of the Educator Certificate of)

Susan Palmer Rogers)

Certificate 154550)

CONSENT ORDER OF SUSPENSION

(BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 13, 2018. On September 18, 2018, the South Carolina Department of Education (SCDE) served Susan Palmer Rogers 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. On October 1, 2018, Ms. Rogers contacted the SCDE, confirmed that she had received the notice via United States mail, and agreed to waive her right to a hearing and enter into this Consent Order of Suspension.

After considering the evidence presented, the State Board voted to suspend Ms. Rogers' educator certificate for a period of one year, commencing on November 13, 2018, and ending on November 12, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County School District (District) recommending the suspension of the educator certificate of Susan Palmer Rogers 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 25, 2018, Ms. Rogers signed a continuing contract with the District to serve as a teacher at Riverside Middle School for the 2018-2019 school year. On August 31, 2018, Ms. Rogers submitted a resignation/early retirement to the District, effective immediately. On August 20, 2018, the District informed Ms. Rogers that her resignation was not accepted, she was in breach of her contract, and the breach of contract would be reported to the SCDE. On August 28, 2018, the District Board voted to report Ms. Rogers to the SCDE. On September 7, 2018, the District reported Ms. Rogers breach of contract to the State Board of Education.

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Ms. Rogers reported to the SCDE that she submitted her resignation/early retirement letter after she learned that matters related to her father's estate would require significant amounts of time and attention. Ms. Rogers did inform her principal of her situation as events developed and was aware of the added responsibility that it was causing Ms. Rogers. Ms. Rogers regrets that she had to resign from the district, but felt that she could not devote her full attention to her students and her career while attending to the issues with the estate.

The State Board finds that the evidence presented demonstrates that Ms. Rogers breached her contract with the District, and that just cause exists to suspend Ms. Rogers' certificate 154550 for a period of one year, commencing on November 13, 2018, and ending on November 12, 2019.

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 (2017). 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) (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." The State Board finds that the evidence presented demonstrates that Ms. Rogers breached her contract without the approval of the District.

The evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Susan Palmer Rogers for a period of one year, commencing on November 13, 2018, and ending on November 12, 2019. If Ms. Rogers 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. Rogers shall also pay the applicable reinstatement fee.

The suspension of Ms. Rogers' educator certificate 285448 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

(signature page attached)

South Carolina State Board of Education

By: Sharon Wall
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
November 13, 2018

I, Susan Palmer Rogers, SC Educator Certificate 154550, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board for approval on November 13, 2018. I understand this Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter.

Susan Palmer Rogers
Susan Palmer Rogers

10/17/18
Date