

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Priscilla Marie Johnson
Certificate 296282

**ORDER OF SUSPENSION
(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 11, 2020. On November 20, 2019, the South Carolina Department of Education (SCDE) sent Priscilla Marie Johnson a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Johnson received the notice, as evidenced by postal tracking. She has not requested a hearing in this matter and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Johnson's educator certificate for a period of one year, commencing February 11, 2020, and ending February 9, 2021.

FINDINGS OF FACT

This case concerns a formal complaint from the Charleston County School District (District) seeking the suspension of the educator certificate of Priscilla Marie Johnson for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2018) and S.C. Code Ann. § 59-25-530 (2018).

On July 10, 2019, Ms. Johnson signed a contractual agreement with the District to serve as a teacher for 2019-20 school year. On August 26, 2019, Ms. Johnson submitted her resignation to the District, effective August 28, 2019, for personal reasons. On August 26, 2019, the District met with Ms. Johnson and mailed a letter, providing formal notice that she would not be released from her contract until a suitable replacement could be found. On September 4, 2019, the District informed Ms. Johnson a suitable replacement had not been located and the District expected her to return to work prior to September 11, 2019. On October 28, 2019, the District Board of Trustees upheld the

recommendation to report Ms. Johnson to the SCDE as a breach of contract. Ms. Johnson was notified of this action by letter on October 29, 2019.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Johnson breached her contract with the District, and that just cause exists to suspend Ms. Johnson's certificate 296282 for a period of one year, commencing on February 11, 2020, and ending on February 9, 2021.

CONCLUSIONS OF LAW

"The South Carolina 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) (2018). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2018), the State Board of Education had the legal authority to suspend a certificate for "failure to comply with the provision 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 [or her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S. C. Code Ann. § 59-25-530 (2018). "Upon 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. Johnson breached her contract without the consent and/or approval of the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Priscilla Marie Johnson for a period of one year, commencing on February 11, 2020, and ending on February 9, 2021.

If Ms. Johnson 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. Johnson shall also pay the applicable reinstatement fee. The

Priscilla Marie Johnson, Certificate 296282
Order of Suspension
February 11, 2020
Page 3

suspension of Ms. Johnson's educator certificate 296282 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty 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

s/Michael Brennan

Michael Brennan, Chair

Columbia, South Carolina
February 11, 2020