

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Ashley Bright
Certificate 204429 and 906168

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 8, 2021. On April 20, 2021, the South Carolina Department of Education (SCDE) sent Ashley Bright a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. On May 13, 2021, Ms. Bright contacted the SCDE to confirm she waived her right to a hearing in this matter.

After considering the evidence presented, the State Board voted to suspend Ms. Bright's educator certificates for a period of one year, commencing on June 8, 2021, and ending on June 7, 2022.

FINDINGS OF FACT

This case concerns a formal complaint of the Greenville School District (District) seeking the suspension of Ms. Bright's educator certificates 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 June 10, 2020, Ms. Bright signed a contractual agreement with the District to serve as a teacher for 2020-21 school year. On February 5, 2021, Ms. Bright submitted her resignation to the District, effective February 19, 2021. On March 9, 2021, the District informed Ms. Bright she was not released from her contract and her failure to fulfil the contract would be reported to the SCDE. The District Board voted to report Ms. Bright's breach of contract to the SCDE on March 23, 2021. The District reported the matter to the SCDE on March 31, 2021.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Bright breached her contract with the District, and that just cause

exists to suspend Ms. Bright's certificates 204429 and 906168 for a period of one year, commencing on June 8, 2021, and ending on June 7, 2022.

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. Bright 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 certificates of Ashley Bright for a period of one year, commencing on June 8, 2021, and ending on June 7, 2022.

If Ms. Bright wishes to have her educator certificates 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. Bright shall also pay the applicable reinstatement fee. The suspension of Ms. Bright's educator certificates 204429 and 906168 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

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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/ Kristi Woodall

Kristi Woodall, Ed.D., Chair

Columbia, South Carolina

June 8, 2021