

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Samantha Elizabeth Reynolds
Certificate 275081

CONSENT ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 16, 2021. On October 20, 2021, the South Carolina Department of Education (SCDE) sent Samantha Elizabeth Reynolds a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate based on her breach of contract. Ms. Reynolds contacted the SCDE to discuss an alternate resolution. Ms. Reynolds has 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. Reynolds' educator certificate for a period of one year, commencing November 16, 2021, and ending November 15, 2022.

FINDINGS OF FACT

This case concerns a formal complaint from Richland County School District One (District) seeking the suspension of the educator certificate of Ms. Reynolds 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 May 6, 2021, Ms. Reynolds signed a contractual agreement with the District to serve as a teacher for the 2021-22 school year. Ms. Reynolds submitted her resignation on July 26, 2021, effective immediately. Ms. Reynolds resigned before the school year began in order to accept a position at the SCDE. The District informed Ms. Reynolds she would not be released from her contract until a suitable candidate was found. On October 12, 2021, the District Board of Trustees voted to report Ms. Reynolds' resignation to the SCDE as a breach of contract. After the SCDE notified Ms. Reynolds of the pending action

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against her educator certificate, she contacted the SCDE to discuss an alternate resolution. Ms. Reynolds has agreed to the suspension of her educator certificate for a period of one year.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Reynolds breached her contract with the District, and that just cause exists to suspend Ms. Reynolds' certificate 275081 for a period of one year, commencing on November 16, 2021, and ending on November 15, 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 (3) 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."

The State Board finds that the evidence presented demonstrates that Ms. Reynolds 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 Samantha Elizabeth Reynolds for a period of one year, commencing on November 16, 2021, and ending on November 15, 2022. If Ms. Reynolds 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

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Services, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Reynolds shall also pay the applicable reinstatement fee.

The suspension of Ms. Reynolds' educator certificate 275081 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, 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 V. Woodall, Ed.D., Chair

Columbia, South Carolina
November 16, 2021

I, Samantha Elizabeth Reynolds, S.C. Educator Certificate 275081, 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 understand that the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I have read the Consent Order of Suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented to the South Carolina State Board of Education for approval on Tuesday, November 16, 2021. I understand this Consent 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. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of "/s/ name" for required website publication.

s/ Samantha Elizabeth Reynolds
Samantha Elizabeth Reynolds

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