

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Laquosha W. Hamlett
Certificate 248485

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on January 11, 2022. On October 28, 2021, the South Carolina Department of Education (SCDE) sent Ms. Hamlett a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. The SCDE has verified Ms. Hamlett's address and the letter sent via regular mail has not been returned. Ms. Hamlett received the notice on November 1, 2021, as evidenced by signed postal receipt. Under the South Carolina Rules of Civil Procedure 5(b), Ms. Hamlett has been given fair notice of constitutional due process. Ms. Hamlett 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 Laquosha W. Hamlett's educator certificate for a period of one year, commencing January 11, 2022, and ending on January 10, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of the Aiken County School District (District) seeking the suspension of the educator certificate of Laquosha W. Hamlett 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 10, 2021, Ms. Hamlett signed a contractual agreement with the District to serve as a teacher for 2021-2022 school year. On September 29, 2021, Ms. Hamlett submitted her resignation to the District, effective October 13, 2021. As the reason for her resignation, Ms. Hamlett stated that she no longer wished to teach in public education. The District informed Ms. Hamlett she would not be released from her

contract. The District Board voted to report Ms. Hamlett's breach of contract to the SCDE on October 12, 2021. The District reported the matter to the SCDE on October 13, 2021.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Laquosha W. Hamlett breached her contract with the District, and that just cause exists to suspend Ms. Hamlett's certificate 248485 for a period of one year, commencing on January 11, 2022 and ending on January 10, 2023.

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. Hamlett 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 Laquosha W. Hamlett for a period of one year, commencing on January 11, 2022, and ending on January 10, 2023.

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

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suspension of Ms. Hamlett's educator certificate 248485 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/Alan Walters
Alan Walters, Chair

Columbia, South Carolina
January 11, 2022