BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Disciplinary Action of the Educator Certificate of Sarah Drummond Certificate 258852	**ORDER OF SUSPENSION** **(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 14, 2022. On April 15, 2022, the South Carolina Department of Education (SCDE) sent Sarah Drummond a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. The letter sent via regular mail has not been returned. On May 23, 2022, the SCDE informed Ms. Drummond via regular mail that the State Board would meet on June 14, 2022, to consider action against her educator certification. Under the South Carolina Rules of Civil Procedure 5(b), Ms. Drummond has been given fair notice of constitutional due process. Ms. Drummond 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 Ms. Drummond's educator certificate for a period of one year, commencing June 14, 2022, and ending on June 13, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of Anderson School District Five (District) seeking the suspension of the educator certificate of Ms. Drummond 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 August 31, 2021, Ms. Drummond signed a contractual agreement with the District to serve as an educator for the 2021-22 school year. On February 24, 2022, Ms. Drummond submitted her resignation to the District, effective March 4, 2022. Ms. Drummond cited personal reasons and a desire to prioritize her family's well-being as the reason for her resignation. On March 2, 2022, the District informed Ms. Drummond in writing that she would not be released from her contract. The District Board voted to

report Ms. Drummond's breach of contract to the SCDE on March 15, 2022. The District reported the matter to the SCDE on April 7, 2022.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Drummond breached her contract with the District, and that just cause exists to suspend Ms. Drummond's certificate 258852 for a period of one year, commencing on June 14, 2022, and ending on June 13, 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. Drummond 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 Sarah Drummond for a period of one year, commencing on June 14, 2022, and ending on June 13, 2023.

If Ms. Drummond 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 he requests reinstatement. Ms. Drummond shall also pay the applicable reinstatement fee. The

suspension of Sarah Drummond's educator certificate 258852 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
June 14, 2022