

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Priscilla Jeanette Collins
Certificate 289577

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 17, 2022. On March 29, 2022, the South Carolina Department of Education (SCDE) sent Priscilla Jeanette Collins a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Collins' agent received the notice on April 1, 2022, as evidenced by signed postal receipt. She 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. Collins' educator certificate for a period of one year, commencing May 17, 2022, and ending on May 16, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of the Aiken County Public School District (District) seeking the suspension of the educator certificate of Ms. Collins 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 7, 2021, Ms. Collins signed a contractual agreement with the District to serve as an educator for 2021-22 school year. On February 22, 2022, Ms. Collins submitted her resignation to the District, effective March 11, 2022. In the resignation, Ms. Collins stated her desire to return to the medical field. On February 22, 2022, the District informed Ms. Collins she was not released from her contract. It was noted that the District could consider releasing her from the contract if a suitable replacement was found. Ms. Collins acknowledged the breach of contract and stated she would not return to work after March 11, 2022. The District Board voted to report Ms. Collins's breach of contract

to the SCDE on March 22, 2022. The District subsequently reported the matter to the SCDE on March 23, 2022.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Collins breached her contract with the District, and that just cause exists to suspend Ms. Collins' certificate 289577 for a period of one year, commencing on May 17, 2022, and ending on May 16, 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. Collins 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 Jeanette Collins for a period of one year, commencing on May 17, 2022, and ending on May 16, 2023.

If Ms. Collins 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. Collins shall also pay the applicable reinstatement fee. The suspension

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of Ms. Collins' educator certificate 289577 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

May 17, 2022