BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Disciplinary Action of the Educator Certificate of Ashlee Rose Coates Certificate 279584	**ORDER OF SUSPENSION** **(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 13, 2022. On May 20, 2022, the South Carolina Department of Education (SCDE) sent Ashlee Rose Coates a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Coates received the notice on May 25, 2022, as evidence 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. Coates' educator certificate for a period of one year, commencing on September 13, 2022, and ending on September 12, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of Greenwood County School District 52 (District) seeking the suspension of the educator certificate of Ms. Coates for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2020) and S.C. Code Ann. § 59-25-530 (2020).

On April 28, 2021, Ashlee Rose Coates signed a contractual agreement with the District to serve as a teacher for the 2021-22 school year. On March 3, 2022, Ms. Coates submitted her resignation to the District, effective March 17, 2022. In her resignation, Ms. Coates stated she was accepting a new job with a more flexible schedule. On May 11, 2022, the District informed Ms. Coates she had not been released from her contract and that her continued absence was presented to the District Board as a breach of contract. The District Board voted to report Ms. Coates' breach of contract to the SCDE on April 12, 2022. The District reported the matter to the SCDE on May 17, 2022.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Coates breached her contract with the District, and that just cause exists to suspend Ms. Coates' certificate 279584 for a period of one year, commencing on September 13, 2022, and ending on September 12, 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) (2020). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2021), 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 (2020). "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. Coates 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 Ashlee Rose Coates for a period of one year, commencing on September 13, 2022, and ending on September 12, 2023.

If Ms. Coates 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. Coates shall also pay the applicable reinstatement fee. The suspension of Ashlee Rose Coates's educator certificate 279584 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
September 13, 2022