

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Anthony Longo
Certificate 289177

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 12, 2023. On May 17, 2023, the South Carolina Department of Education (SCDE) sent Anthony Longo a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. The SCDE has verified Mr. Longo's address and the letter sent via regular mail has not been returned. On July 10, 2023, the SCDE informed Mr. Longo via regular mail that the State Board would meet on September 12, 2023, or as soon thereafter as is feasible, to consider action against his educator certification. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Longo has been given fair notice of constitutional due process. He 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 Mr. Longo's educator certificate for a period of one year, commencing September 12, 2023, and ending on September 11, 2024.

FINDINGS OF FACT

This case concerns a formal complaint of the Richland School District Two (District) seeking the suspension of the educator certificate of Mr. Longo 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 6, 2022, Anthony Longo signed a contractual agreement with the District to serve as a teacher for the 2022-23 school year. On March 20, 2023, Mr. Longo submitted a separation request to the District, effective April 18, 2023. In his request, Mr. Longo cited job dissatisfaction and stated he would continue his career in education at a college/university or private school. On March 30, 2023, the District informed Mr. Longo

he was not released from his contract and reminded him of District resignation policy. He did not return to the District. The District Board voted to report Mr. Longo's breach of contract to the SCDE on May 9, 2023. The District reported the matter to the SCDE on May 10, 2023.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Mr. Longo breached his contract with the District, and that just cause exists to suspend Mr. Longo's certificate 289177 for a period of one year, commencing on September 12, 2023, and ending on September 11, 2024.

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 has 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 Mr. Longo breached his 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 Anthony Longo for a period of one year, commencing on September 12, 2023, and ending on September 11, 2024.

If Mr. Longo wishes to have his educator certificate reinstated at the end of the suspension period, he 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 he requests reinstatement. Mr. Longo shall also pay the applicable reinstatement fee. The suspension of Mr. Longo's educator certificate 289177 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/Crystal F. Stapleton, Ed.D.

Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina
September 12, 2023