

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Ronald Lee Bell
Certificate 285892

**ORDER OF DISMISSAL
(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 14, 2024. On September 14, 2023, the South Carolina Department of Education (SCDE) sent Ronald Lee Bell a notice via regular and certified mail, return receipt requested, of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. Mr. Bell received the notice and timely requested a hearing, which was held on March 27, 2024. This matter is properly before the State Board pursuant to S.C. Code Ann. § 59-25-150 (2020) and referred to a hearing officer pursuant to S.C. Code Ann. 59-5-70 (2020).

After considering the evidence, testimony, and the report and recommendations presented, the State Board hereby dismisses this action against Mr. Bell's educator certificate.

FINDINGS OF FACT

This case concerns a formal complaint from High Point Academy (School) seeking the suspension of the educator certificate of Mr. Bell 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 September 14, 2023, Mr. Bell was sent a notice of the alleged breach of contract action against his certification and information on his right to a hearing in this matter. The letter also included information for accessing the State Board's Procedures for Educator Certification Hearings (Hearing Procedures). The School was copied on this notice. Mr. Bell timely requested a hearing. On January 29, 2024, Mr. Bell was sent notice of the time, date, and location of the

requested hearing by mail. This notice included a copy of the Hearing Procedures. The School was copied on the notice.

During the hearing, Mr. Bell and a representative from the School testified they had received electronic confirmation of the hearing date as well as an electronic copy of the Hearing Procedures. The procedures include the requirement for a prehearing statement from both parties. Neither party submitted a prehearing statement, nor did they identify an exceptional circumstance which prevented them from doing so. According to the Hearing Procedures, any witnesses or exhibits not addressed in a prehearing statement “may not be presented at the hearing.” Therefore, Hearing Officer found no further exhibits could be introduced at the hearing. The Hearing Officer found that the School did not meet its evidentiary burden to prove that a breach of contract occurred and recommended that the State Board issue an order of dismissal.

After considering the evidence, testimony, and the report and recommendations presented, the State Board finds that the evidence presented demonstrates just cause to dismiss the action against Mr. Bell’s educator certificate 285892.

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.*

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The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend the professional educator certificate of Mr. Bell in this matter. Accordingly, this action against Ronald Lee Bell, educator certificate 285892 is hereby dismissed.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/David C. O'Shields

David C. O'Shields, Chair

Columbia, South Carolina

May 14, 2024