

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Robert James Housley
Certificate 284978

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 14, 2024. On January 30, 2024, the South Carolina Department of Education (SCDE) sent Robert James Housley a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. Mr. Housley requested a hearing. On April 24, 2024, Mr. Housley notified the SCDE that he wished to waive his right to a hearing and accept “whatever consequences are deemed fitting.” Under the South Carolina Rules of Civil Procedure 5(b), Mr. Housley has been given fair notice of constitutional due process and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Housley’s educator certificate for a period of one year, commencing May 14, 2024, and ending on May 13, 2025.

FINDINGS OF FACT

This case concerns a formal complaint from the Greenville County School District (District) seeking the suspension of the educator certificate of Mr. Housley 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 4, 2023, Mr. Housley signed a contractual agreement with the District to serve as a teacher for the 2023-2024 school year. On November 30, 2023, Mr. Housley submitted his resignation to the District, effective immediately. In his resignation, Mr. Housley stated he did not feel that he was up to the requirement of the job as outlined by his supervisors. On December 5, 2023, the District reminded Mr. Housley of District policy and informed him his resignation was considered a breach. He did not return to fulfill his contract. The District Board voted to report Mr. Housley’s breach of contract to the

SCDE on January 16, 2024. The District reported the matter to the SCDE on January 26, 2024.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Mr. Housley breached his contract with the District, and that just cause exists to suspend Mr. Housley's certificate 284978 for a period of one year, commencing on May 14, 2024, and ending on May 13, 2025.

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. Housley 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 Robert James Housley for a period of one year, commencing on May 14, 2024, and ending on May 13, 2025.

If Mr. Housley 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 Services and shall meet all certification requirements in effect at the time he requests reinstatement. Mr. Housley shall also pay the applicable reinstatement fee. The

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suspension of Mr. Housley's educator certificate 284978 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/David C. O'Shields
David C. O'Shields, Chair

Columbia, South Carolina
May 14, 2024