

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension )  
 )  
of the Educator Certificate of ) **ORDER OF SUSPENSION**  
 )  
Kristin E. Horvath ) **(BREACH OF CONTRACT)**  
 )  
Certificate 226980 )  
\_\_\_\_\_ )

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on June 10, 2015. On April 3, 2015, the South Carolina Department of Education (SCDE) sent Kristin E. Horvath notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, certificate 226980, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Horvath received the notice on April 8, 2015, as evidenced by a signed postal receipt. Ms. Horvath did not contact SCDE to request a hearing and is in default.

After considering the evidence presented, the State Board voted to suspend Ms. Horvath’s educator certificate for a period of one year, commencing on June 10, 2015, and ending on June 9, 2016.

**FINDINGS OF FACT**

The case concerns a formal complaint by the Greenville County School District (District) seeking the suspension of the educator certificate of Kristin E. Horvath for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann. § 59-25-530 (2004).

Ms. Horvath holds a valid South Carolina educator certificate and has over eight years of teaching experience. On April 10, 2014, Ms. Horvath signed a continuing contract with the

District to serve as a teacher in the District for the 2014-2015 school year. On January 22, 2015, Ms. Horvath sent a letter to her principal informing the principal that she was resigning from her position effective February 11, 2015. On January 23, 2015, the District sent a letter to Ms. Horvath informing her that her resignation was in violation of District Policy GBO. The District's policy states that unless a teacher is formally released from his/her contract, the District expects the teacher to report to duty. The letter also notified Ms. Horvath that the District would file a formal complaint with the State Board reporting her breach of contract with the District .

On March 12, 2015, the District informed SCDE that on March 10, 2015, the District Board of Trustees voted to recommend the suspension of Ms. Horvath's teaching credential for breach of contract to the State Board.

On April 3, 2015, the SCDE sent Ms. Horvath notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, certificate 226980, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Horvath received the notice on April 8, 2015, as evidenced by a signed postal receipt. Ms. Horvath did not contact SCDE to request a hearing and is in default.

After considering the evidence presented, the State Board finds that the evidence presented demonstrates that Ms. Horvath engaged in unprofessional conduct and willfully neglected her duty when she breached her contract with the District, and that just cause exists to suspend Ms. Horvath's educator certificate for a period of one year, commencing on June 10, 2015, and ending on June 9, 2016.

### CONCLUSIONS OF LAW

The State Board of Education, upon careful review of the evidence presented, makes the following conclusions of law in this matter:

(1) The State Board of Education has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004), which provides “The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person,” and S.C. Code Ann § 59-25-530 (2004), which provides, “Any teacher who fails to comply with the provisions of his contract without the written consent of the school board shall be deemed guilty of unprofessional conduct.”

(2) Just cause is statutorily defined to include “unprofessional conduct,” “willful neglect of duty,” and “willful violation of the rules and regulations of the State Board of Education.” S.C. Code Ann. § 59-25-160 (2004).

(3) Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2011), the State Board of Education has the legal authority, inter alia, to suspend teaching certificate for “willful neglect of duty” and “failure to comply with the provisions of a contract without the written consent of the local school board.”

(4) The evidence presented demonstrates that Ms. Horvath engaged in unprofessional conduct by breaching her contract, willfully neglected her duty, and failing to comply with the provisions of her contract without the written consent of the District Board of Trustees.

(5) The evidence presented supports the State Board’s conclusion that just cause exists to suspend the educator certificate of Kristin E. Horvath, certificate 226980, for a period of one year, commencing on June 10, 2015, and ending on June 9, 2016.

If Ms. Horvath wishes to have her 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

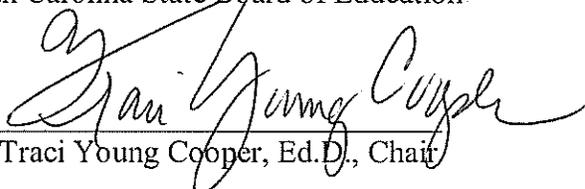
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meet all certification requirements in effect at the time she requests reinstatement. Ms. Horvath shall also be responsible for paying any applicable reinstatement fees. The suspension of Ms. Horvath, educator certificate 226980 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

**AND IT IS SO ORDERED.**

South Carolina State Board of Education

By:

  
Traci Young Cooper, Ed.D., Chair

Columbia, South Carolina  
June 10, 2015