

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the Educator) **CONSENT ORDER OF**
)
Certificate of Kari S. Harper) **SUSPENSION**
)
Certificate 238226)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 14, 2012. On September 25, 2012, the South Carolina Department of Education (SCDE) sent notice to Kari S. Harper of the possible suspension of her educator certificate by regular and certified mail, return receipt requested. After receiving the notice, Ms. Harper contacted the SCDE and informed the SCDE that she had agreed to waive her right to a hearing and accept a one year period of suspension of her educator certificate. After considering the information presented by the SCDE, the State Board voted to suspend Ms. Harper's certificate for one year, commencing on November 14, 2012, and ending on November 13, 2013.

FINDINGS OF FACT

Ms. Harper holds a valid South Carolina professional educator certificate and has over three years of teaching experience. She has no prior record of disciplinary action with the State Board.

Ms. Harper had been employed by York County School District Four (District) as a Physical Education Teacher at Orchard Park Elementary School (School) until she was terminated on June 19, 2012, following an investigation into allegations that Ms. Harper was under the influence of alcohol while on duty at the School on May 4, 2012. When confronted with the allegations, Ms. Harper agreed to have a blood alcohol test administered which tested positive for alcohol. Ms. Harper was placed on administrative leave, with full pay and benefits, until the District investigation was completed.

Accepted:
Kari S.
Harper
238226

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On May 17, 2012, the District sent a letter to Ms. Harper advising her that the Superintendent was going to recommend her termination to the school board for willful violation of Board Policy GBEB and GBEC. The District Board of Trustees terminated Ms. Harper, effective June 19, 2012, for coming to work under the influence of alcohol.

District administration stated that Ms. Harper was a good teacher and the School never had any problems with Ms. Harper's performance until this incident.

Ms. Harper acknowledges that she has engaged in unprofessional conduct. She waives her right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review. Ms. Harper consents to the suspension of her educator certificate for a period of one year and agrees that she will not be employed or volunteer, in any capacity, in any school district in South Carolina, with the exception of her duties as a parent. Ms. Harper also agrees to participate in an alcohol treatment program and to comply with the conditions of this Order. Ms. Harper plans to return to teaching upon the conclusion of the suspension period and the reinstatement of her educator certificate.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp 2011). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented, which is undisputed by Ms. Harper, demonstrates that Ms. Harper engaged in unprofessional conduct, as a result of her being under the influence of alcohol at the School and that just cause exists to suspend Ms. Harper's educator certificate. The evidence presented supports the State Board's decision to accept the Consent Order of Suspension.

Now, therefore, it is hereby ordered that the Consent Order of Suspension is accepted and the educator certificate of Kari S. Harper, certificate 238226, is hereby suspended for a period of one year, commencing on November 14, 2012, and ending on November 13, 2013. The suspension of Ms. Harper's educator certificate 238226 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts

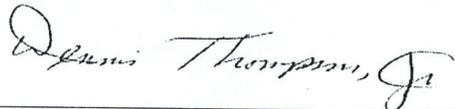
Accepted: Kari S. Harper 238226 <u>KS</u> Initial Here <u>10-17-12</u> Date
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within thirty days from the date of this order with the reasons stated as unprofessional conduct.

If Ms. Harper desires to have her educator certificate reinstated at the conclusion of the suspension period, she shall make a written request to the SCDE's Office of Educator Certification Recruitment and Preparation. Ms. Harper shall provide SCDE with documentation of alcohol counseling and negative drug screens at the end of her suspension period. Ms. Harper must also meet all certification requirements in effect at the time she requests reinstatement and shall be responsible for the payment of all applicable reinstatement fees.

AND IT IS SO ORDERED.

South Carolina State Board of Education

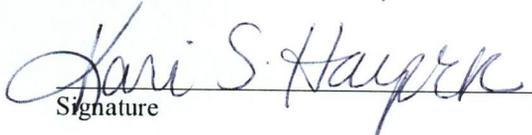


Dennis Thompson, Jr., Chair

Columbia, South Carolina

November 14, 2012

I, Kari S. Harper, S. C. Educator Certificate 238226, have read the Consent Order of Suspension, consisting of three pages, and I freely and voluntarily agree to the terms set forth therein. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina during this suspension period, except in my capacity as a parent. I agree to the proposed Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented as signed to the South Carolina State Board of Education on November 14, 2012.



Signature

10-17-12
Date