

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

In the Matter of the Suspension)	
)	
of the Educator Certificate of)	ORDER OF SUSPENSION
)	
Shatanya T. Smith,)	(Default on NBC Loan)
)	
Educator Certificate #230222)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 11, 2014. The South Carolina Department of Education (SCDE) notified Ms. Smith of her right to a hearing regarding the possible suspension of her South Carolina Educator Certificate via letter dated January 8, 2014, sent by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Smith timely requested a hearing. The South Carolina Department of Education (SCDE) notified Ms. Smith of the date, time and location of this hearing by letter dated February 18, 2014, which was sent via certified and regular U.S. mail. On March 14, 2014, a hearing was held concerning Ms. Smith's alleged default on her National Board Certification (hereinafter "NBC") loan. Ms. Smith acknowledged receipt of the hearing notice but chose not to attend.

After considering the evidence presented, the State Board hereby votes to suspend Ms. Smith's educator certificate until such time as her NBC loan is paid in full, plus any applicable interest.

FINDINGS OF FACT

This case concerns Ms. Smith's default on an NBC loan. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann § 59-25-160 (2004).

Ms. Smith holds a valid South Carolina Educator Certificate. On September 28, 2007 while employed by Andrew Jackson Middle School in Kershaw, South Carolina (Lancaster County School District), she signed an NBC Loan Agreement in the amount of \$2,500 for the purpose of obtaining National Board Certification. Thereafter, Ms. Smith did not complete the

requirements to become National Board Certified within the three year time period from the disbursement of funds as required by her loan agreement nor was she eligible for forgiveness of any portion of the loan. Thus, the loan became due in late 2010.

Attempts were made by the South Carolina Center for Educator Recruitment, Retention and Advancement (hereinafter "CERRA") in February 2011 and June 2011 to notify Ms. Smith of her obligation to repay the loan. These letters were unclaimed and CERRA received no contact from Ms. Smith. Two more default letters were sent to Ms. Smith by SCDE in March and April of 2012 and she ultimately began repaying the loan in September of 2012.

In January 2013, she entered into an Amended National Board Certification Default Repayment Agreement at a lower payment. Thereafter, she missed several payments between January and December 2013 and made no payments after December 2, 2013. Her outstanding principle balance is \$1,635.

Ms. Smith was laid off from the Lancaster County School District during the three year time period and was subsequently employed with the Charlotte Mecklenburg School System, where she remains today. Ms. Smith failed to maintain current address information with CERRA, as required by in her NBC Loan Agreement.

After considering the evidence presented at the March 14, 2014 hearing, the State Board finds that the evidence presented demonstrates that Ms. Smith failed to comply with the terms of the NBC loan agreement by her failure to repay the full amount of loan and a suspension of her Educator Certificate is warranted. Accordingly, the Board finds that just cause exists to suspend Ms. Smith's Educator Certificate until such time as she repays the full outstanding principle balance of \$1,635 plus any interest due, to be calculated by SCDE. Such suspension is effective upon the signing of this order.

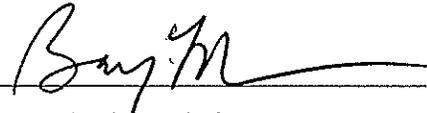
CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes, *inter alia*, "unprofessional conduct". S.C. Code Ann. § 59-25-160 (4) (2004).

The State Board finds that Ms. Smith's failure to repay the full amount due on her NBC loan in violation of the terms of the loan agreement demonstrates unprofessional conduct as cited by the above statute. If Ms. Smith wishes to have her Educator Certificate reinstated after paying the full amount due on her loan agreement plus any applicable interest, she shall make a written request to the SCDE's Office of Educator Certification, Recruitment, and Preparation, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Smith shall also pay all applicable reinstatement fees. The suspension of Ms. Smith's Educator Certificate #230222 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 for default on NBC Loan."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Barry Bolen, Chair

Columbia, South Carolina
June 11, 2014