

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of	)	
	)	ORDER OF SUSPENSION
Katherine B. Snelling	)	
	)	(BREACH OF CONTRACT)
Educator Certificate 284742	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 12, 2019. On February 7, 2019, the South Carolina Department of Education (SCDE) notified Katherine B. Snelling, via regular and certified mail, of her right to a hearing regarding the possible suspension of her South Carolina educator certificate regarding her alleged breach of contract with Greenwood School District 51 (District). Ms. Snelling received the certified mail. Ms. Snelling has not contacted the SCDE and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Snelling's educator certificate for a period of one year, commencing on March 12, 2019, and ending on March 11, 2020.

FINDINGS OF FACT

This case concerns a formal complaint by the District, seeking the suspension of the educator certificate of Katherine B. Snelling for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2017) and S.C. Code Ann. § 59-25-530 (2017).

On May 14, 2018, Ms. Snelling signed a contract with the District for the 2018-2019 school year, agreeing to serve as a teacher at Ware Shoals Primary School (School). Ms. Snelling submitted a letter of resignation on November 28, 2018, effective December 19, 2018. On December 18, 2018, the District informed Ms. Snelling that the District Board of Trustees (Board) had voted not to release her from her contract and offered to provide a mentor, professional development, and services available through the Employee Assistance Program in order to retain her. The District further instructed Ms. Snelling that if she failed to perform her contractual duties she would be in breach of her contract. On January 22, 2019, the Board approved the District reporting the breach of contract matter to the SCDE. The District reported the matter to the SCDE on February 6, 2019.

After considering the evidence presented, the State Board voted to suspend Ms. Snelling's educator certificate for a period of one year, commencing on March 12, 2019, and ending on March 11, 2020.

CONCLUSIONS OF LAW

"The State 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) (2017). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (Supp. 2017), the State Board of Education has the legal authority, *inter alia*, to suspend a 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." With respect to breach of contract, "any teacher who fails to comply with the provisions of his [of her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S.C. Code Ann. § 59-25-530 (2017). "Upon the 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 Ms. Snelling breached her contract and engaged in unprofessional conduct, and failed to comply with the provisions of her contract. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Katherine B. Snelling, certificate 284742, for a period of one year, commencing on March 12, 2019, and ending on March 11, 2020. If Ms. Snelling wishes to have her educator 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 meet all certification requirements in effect at the time she requests reinstatement. Ms. Snelling shall also pay all applicable reinstatement fees.

The suspension of Ms. Snelling's educator certificate 284742 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within 30 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

By: _____


Del-Gratia Jones, Chair

Columbia, South Carolina
March 12, 2019