

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Holly F. Kopp,)
)
Certificate 161902)

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

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 10, 2016. On December 11, 2015, the South Carolina Department of Education (SCDE) served Holly F. Kopp with notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Kopp received the certified mail notice on December 16, 2015, as evidenced by a signed postal receipt bearing her signature. In a letter dated December 15, 2015, to the SCDE, Ms. Kopp acknowledged that she breached her contract with the District due to overwhelming family responsibilities and that she waived her right to a hearing.

After considering the evidence presented, the State Board voted to suspend Ms. Kopp’s educator certificate for a period of one year, commencing on February 10, 2016, and ending on February 9, 2017.

FINDINGS OF FACT

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

Ms. Kopp holds a valid South Carolina educator certificate and has over ten years of teaching experience. On August 25, 2015, Ms. Kopp signed a contractual agreement with the District to serve as a special education teacher at Woodmont Middle School for the 2015-2016 school year. Ms. Kopp submitted a letter of resignation on October 29, 2015, stating that her resignation was effective immediately. On November 2, 2015, the District Director of

Professional Employment informed Ms. Kopp that her resignation did not meet the guidelines provided in Board Policy GBO and that Ms. Kopp engaged in unprofessional conduct by failing to comply with the provisions of her contract without having been duly released from her contract. The District also informed Ms. Kopp that a formal complaint would be filed with the State Board of Education.

On November 17, 2015, the District Board of Trustees found that Ms. Kopp failed to obtain the written consent of the District Board of Trustees before resigning her position as a special education teacher at Woodmont Middle School, and that her behavior constituted a breach of her employment contract with the District. The District voted to report Ms. Kopp's breach of contract to SCDE and the State Board. On November 18, 2015, the District reported this matter to SCDE requesting that the State Board suspend Ms. Kopp's educator certificate.

On December 11, 2015, the SCDE attempted to serve Ms. Kopp with notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Kopp received the certified mail notice on December 16, 2015, as evidenced by a signed postal receipt bearing her signature. Ms. Kopp informed the SCDE, by written correspondence dated December 15, 2016, that she had breached her contract with the District and that she waived her right to a hearing. Ms. Kopp indicated in her letter that she was overwhelmed by her family responsibilities and was unable to serve her students.

After considering the evidence presented, the State Board voted to suspend Ms. Kopp's educator certificate for a period of one year, commencing on February 10, 2016, and ending on February 9, 2017.

CONCLUSIONS OF LAW

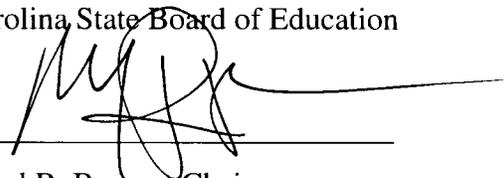
"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (Rev. 2004). Just cause includes, *inter alia*, "wilful violation of the rules and regulations of the State Board of Education" and "unprofessional conduct." S.C. Code Ann. § 59-25-160 (3) and (4) (Rev. 2004). Pursuant to S.C. Code Ann. § 59-25-538 (Rev. 2004), "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." 24 S.C. Code Ann. Regs. 43-58 (2) and (14) (2011), provides that the State Board of

Education has the legal authority, *inter alia*, to suspend a certificate for “wilful neglect of duty” and “failure to comply with the provisions of a contract without the written consent of the local school board.” The State Board finds that the evidence presented demonstrates that Ms. Kopp breached her contract, engaged in unprofessional conduct, wilfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the Greenville County School District. The evidence presented further supports the State Board’s determination that just cause exists to suspend the educator certificate of Holly F. Kopp, certificate 161902, for a period of one year, commencing on February 10, 2016, and ending on February 9, 2017. If Ms. Kopp 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. Kopp shall also pay the applicable reinstatement fee. The suspension of Ms. Kopp’s educator certificate 161902 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: _____


Michael R. Brennan, Chair

Columbia, South Carolina
February 10, 2016