

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Raegan A. Ouzts,)
)
Certificate 268883)

ORDER OF SUSPENSION
(BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 13, 2016. On July 6, 2016, the South Carolina Department of Education (SCDE) served Raegan Alanna Ouzts a 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. Ouzts received the notice on or about July 14, 2016, and informed the SCDE's Office of General Counsel that she was requesting a private hearing in this matter. Prior to the scheduling of the hearing, Ms. Ouzts informed the SCDE OGC on August 4, 2016, that she was withdrawing her previous request for a hearing in this matter.

After considering the evidence presented, the State Board voted to suspend Ms. Ouzts' educator certificate for a period of one year, commencing on September 13, 2016, and ending on September 12, 2017.

FINDINGS OF FACT

This case concerns a formal complaint by the Spartanburg County School District One (District) recommending the suspension of the educator certificate of Raegan Alanna Ouzts 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. Ouzts holds a South Carolina educator certificate and has one year of teaching experience. Ms. Ouzts signed a Contractual Agreement with the District to serve as an English teacher at Chapman High School (School) for the 2015-2016 school year. On January 19, 2016, Ms. Ouzts was involved in an accident in the school parking lot and was out of work on approved leave. On February 22, 2016, the Principal of the School received a letter of resignation from Ms. Ouzts, effective March 4, 2016. The Superintendent informed Ms. Ouzts

that her resignation did not meet any of the circumstances that would allow him to recommend that the Board accept her resignation and that she needed to complete her contractual year and honor her commitment to her students. The District made multiple attempts to reach Ms. Ouzts and she failed to communicate with the District. On March 21, 2016, the District's benefits office received notice from her medical provider that Ms. Ouzts was able to return to work on March 22, 2016. Ms. Ouzts did not report to the School on that date. The District then learned through social media that Ms. Ouzts was working at a new job at this time. After continued attempts to reach Ms. Ouzts, the District informed her that, as of April 21, 2016, she was formally removed from her employment with the District based on her refusal to perform her contractual duties. On May 20, 2016, the District reported Ms. Ouzts to the SCDE for her breach of contract.

On July 6, 2016, the SCDE served Ms. Ouzts with a 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. Ouzts received the notice on or about July 14, 2016, and informed the SCDE Office of General Counsel that she was requesting a private hearing in this matter. On August 4, 2016 Ms. Ouzts informed the SCDE Office of General Counsel that she was withdrawing her request for a hearing. After considering the evidence presented, the State Board voted to suspend Ms. Ouzts' educator certificate for a period of one year, commencing on September 13, 2016, and ending on September 12, 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*, "willful 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. § 59-25-530 (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), provide 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. Ouzts breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the Spartanburg County School District One. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Raegan A. Ouzts, certificate 268883, for a period of one year, commencing on September 13, 2016, and ending on September 12, 2017. If Ms. Ouzts 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. Ouzts shall also pay the applicable reinstatement fee. The suspension of Raegan A. Ouzts, educator certificate 268883 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

September 13, 2016