BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	**ORDER OF SUSPENSION**
	)	
Elizabeth Kathleen Wilson,	)	**(BREACH OF CONTRACT)**
	)	
Certificate 265026	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 9, 2014. On January 10, 2014, the South Carolina Department of Education (SCDE) sent Elizabeth Kathleen Wilson 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. Wilson received the notice as evidenced by a postal receipt bearing her signature. Ms. Wilson did not contact SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Wilson's educator certificate for a period of one year, commencing on April 9, 2014, and ending on April 8, 2015.

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County School District (District) seeking the suspension of the educator certificate of Elizabeth Kathleen Wilson for unprofessional conduct as a result of her breach of contract with the District. 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. Wilson holds a valid South Carolina educator certificate and has over three years of teaching experience. On August 6, 2013, Ms. Wilson signed a Contractual Agreement with the District for the 2013-2014 school year to work as a teacher at Paris Elementary School (School). On November 8, 2013, Ms. Wilson sent a letter of resignation to the District stating that she was giving two weeks' notice and was resigning from her position at the School. She stated she was no longer going to work full time so that she could focus on her health and other personal

concerns. On November 21, 2013, the District gave Ms. Wilson written notice that she was not being released from her contractual obligations and that her resignation request did not meet the guidelines provided within Board Policy GBO. The notice also informed Ms. Wilson that the District expected her to fulfill the obligations of her contract. Ms. Wilson did not return to the School. On December 23, 2013, the District informed the SCDE that the District Board of Trustees voted to recommend the suspension of Ms. Wilson's South Carolina teaching credentials for breach of contract on December 17, 2013.

On January 10, 2014, the SCDE sent Ms. Wilson notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate for breach of contract, by regular and certified mail, return receipt requested, delivery restricted to addressee. On January 23, 2014, Ms. Wilson received the notice as evidenced by a postal receipt bearing her signature. Ms. Wilson did not contact SCDE to request a hearing within the specified time in the notice and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Wilson' educator certificate for a period of one year, commencing on April 9, 2014, and ending on April 8, 2015.

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*, "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) (Rev. 2004). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2011), 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." The State Board finds that the evidence presented demonstrates that Ms. Wilson 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 Greenville County School Board. The evidence presented further supports the State Board's determination that just cause exists to

suspend the educator certificate of Elizabeth Kathleen Wilson, certificate 265026, for a period of one year, commencing on April 9, 2014, and ending on April 8, 2015.

If Ms. Wilson 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. Wilson shall also pay an applicable reinstatement fee. The suspension of Ms. Wilson' educator certificate 265026 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: _____

Barry F. Bolen, Chair

Columbia, South Carolina
April 9, 2014