

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	CONSENT ORDER OF SUSPENSION
	)	
Karen E. Weinberg,	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 267875</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2017. On May 31, 2017, the South Carolina Department of Education (SCDE) served Karen E. Weinberg 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. On June 14, 2017, Ms. Weinberg contacted the SCDE, confirmed that she had received the notice via certified mail, and stated she agreed to waive her right to a hearing and enter into this Consent Order of Suspension.

After considering the evidence presented, the State Board voted to suspend Ms. Weinberg's educator certificate for a period of one year, commencing on August 8, 2017, and ending on August 7, 2018.

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County School District (District) recommending the suspension of the educator certificate of Karen E. Weinberg for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2016) and S.C. Code Ann § 59-25-530 (2016).

Ms. Weinberg holds a South Carolina educator certificate and has over six years of teaching experience. On April 22, 2016, Ms. Weinberg signed a Contractual Agreement with the District to serve as a Special Education Teacher at Robert Cashion Elementary School for the 2016-2017 school year. On April 5, 2017, Ms. Weinberg notified her principal she was resigning from the District effective April 17, 2017. On May 15, 2017, the District informed Ms. Weinberg she was not duly released from her contract and that a formal complaint would be filed with the State Board once approved by the School Board. On May 23, 2017, the Board of Trustees of the Greenville School District took official action to approve the reporting of her

Karen E.
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breach of contract to the State Board of Education. On May 25, 2017, the District reported this matter to SCDE, requesting that the State Board take disciplinary action on Ms. Weinberg's educator certificate.

Ms. Weinberg was noticed of her right to a hearing and she subsequently agreed to waive this right and enter into this Consent Order of Suspension. In conversation with the SCDE, Ms. Weinberg felt she was not a good fit for the District. She explained she was flying across the country to Washington State during every school break in an attempt to help her parents. Her father died last spring after suffering from heart problems. She continued the trips to Washington State to help her mom with the estate and selling her home. Ms. Weinberg was also experiencing domestic issues. She felt overwhelmed with lesson plans, ADEPT and teaching 36 special needs children. She loved the children, but could not keep up with the District paperwork requirements. She respected her principal, who was very supportive and understanding.

Ms. Weinberg indicated she wanted to sign a Consent Order of Suspension. Ms. Weinberg regrets that due to unforeseen circumstances, she had to resign from her teaching position prior to the end of the school year. She greatly enjoys teaching and looks forward to returning to teaching again in the future.

After considering the evidence presented, the State Board finds that Ms. Weinberg breached her contract with the District, and just cause exists to suspend Ms. Weinberg's educator certification for a period of one year, commencing on August 8, 2017, and ending on August 7, 2018.

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 (2016). Just cause includes, *inter alia*, "unprofessional conduct" and "wilful violation of the rules and regulations of the State Board of Education." S.C. Code Ann. § 59-25-160 (3) and (4) (2016). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2016), 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 Ms. Weinberg breached her contract

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without the consent and/or approval of the District. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Ms. Weinberg for a period of one year, commencing on August 8, 2017, and ending on August 7, 2018.

The suspension of Ms. Weinberg's educator certificate 267875 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

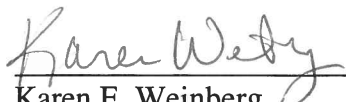
AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
August 8, 2017

I, Karen E. Weinberg, SC Educator Certificate 267875, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board for approval on August 8, 2017.


Karen E. Weinberg


Date

