

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Rosie Shirley Ulibarri)
)
Certificate 256284)
_____)

ORDER OF SUSPENSION (Failure to meet ADEPT Requirements)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 12, 2017. On June 30, 2017, the South Carolina Department of Education's (SCDE) Office of Educator Effectiveness and Leadership sent Ms. Rosie Shirley Ulibarri notice of her failure to meet the requirements of her ADEPT formal evaluation via regular and certified mail. Pursuant to S.C. Reg. 43-58 (2011), S.C. Reg. 43-205.1 (2011), and the ADEPT System Guidelines (2006), a second unsuccessful ADEPT formal evaluation at the annual-contract level requires that Ms. Ulibarri's South Carolina teaching certificate be automatically suspended for a minimum of two years. On August 10 2017, the SCDE informed Ms. Ulibarri via regular and certified mail that the State Board would meet on September 12, 2017, to consider the circumstances surrounding her failure to meet the requirements of her ADEPT formal evaluation. The SCDE verified Ms. Ulibarri's address. Under the South Carolina Rules of Civil Procedure 5(b), Ms. Ulibarri has been given fair notice of constitutional due process. After considering the information presented by the SCDE, the State Board voted to suspend Ms. Ulibarri's certificate for a minimum of two years, beginning September 12, 2017, and ending September 11, 2019, provided that Ms. Ulibarri successfully completes a state-approved remediation plan.

FINDINGS OF FACT

Ms. Ulibarri holds a South Carolina educator certificate and has seventeen years of teaching experience. The Berkeley County School District's annual ADEPT report to the Office of Educator Effectiveness and Leadership indicated that Ms. Ulibarri was unsuccessful in meeting the requirements of her ADEPT formal evaluation for the 2015-2016 school year. This was Ms. Ulibarri's second unsuccessful ADEPT evaluation at the annual-contract level.

CONCLUSIONS OF LAW

The State Board will automatically suspend for a minimum of two years the certificate of an annual-contract teacher who for the second time fails to meet ADEPT formal evaluation criteria. S.C. Code Ann. § 59-5-60 (2004); S.C. Reg. 43-58 (2011), S.C. Reg. 43-205.1 (2011). The State Board finds that sufficient evidence has been presented supporting its conclusion that Ms. Ulibarri failed to meet ADEPT formal evaluation criteria for a second time, warranting the suspension of her certificate for a minimum period of two years, commencing on September 12, 2017, through September 11, 2019, provided that Ms. Ulibarri successfully completes a state-approved remediation plan. An "ineligible for hire" indicator will be placed in Ms. Ulibarri's certification file with the Office of Educator Services and will not be removed prior to September 11, 2019, provided that she successfully completes a state-approved remediation plan.

Before reentry into the profession and removal of the suspension, Ms. Ulibarri must complete a state-approved remediation plan based on the areas that were identified as deficiencies during the formal evaluation process. Remediation plans must be developed and implemented in accordance with the State Board's ADEPT implementation guidelines. Following the minimum two-year suspension period and the completion of the remediation plan, as verified by the Office of Educator Services, Ms. Ulibarri's educator certificate suspension will be lifted and Ms. Ulibarri will be eligible for employment at the annual-contract level. All fees and eligibility requirements that are in effect at the time of Ms. Ulibarri's reapplication will apply.

The suspension of Ms. Ulibarri's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within five 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
September 12, 2017