

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Kayla Eve Gobelbecker,	)	(BREACH OF CONTRACT)
	)	
Certificate 280026	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 14, 2018. On May 7, 2018, the South Carolina Department of Education (SCDE) sent Kayla Eve Gobelbecker a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate regarding her alleged breach of contract with Lexington County School District Two. On June 7, 2018, the SCDE sent Ms. Gobelbecker a second notice letter via regular and certified mail. Ms. Gobelbecker called the SCDE on June 15, 2018 to discuss her options. Ms. Gobelbecker has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented, the State Board voted to suspend Ms. Gobelbecker's educator certificate for a period of one year, commencing on August 14, 2018, and ending on August 13, 2019.

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FINDINGS OF FACT

This case concerns a formal complaint by the Lexington County School District Two (District) seeking the suspension of the educator certificate of Kayla Gobelbecker for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2017) and S.C. Code Ann. § 59-25-530 (2017).

On June 27, 2017, Ms. Gobelbecker signed a Contract with the District for the 2017-2018 school year agreeing to serve as a Teacher at Busbee Creative Arts Academy (School).

On December 30, 2017, Ms. Gobelbecker resigned from her position, effective immediately. On January 18, 2018, the District School Board voted to recommend the suspension

of Ms. Gobelbecker's South Carolina teaching certificate. The District informed Ms. Gobelbecker that while her resignation was accepted, her separation was deemed a breach of contract by the District School Board on January 22, 2018, and it would be reported for possible disciplinary action by the SCDE. On May 1, 2018, the District reported the breach of contract to the SCDE.

After considering the evidence presented, the State Board voted to suspend Ms. Gobelbecker's educator certificate for a period of one year, commencing August 14, 2018, and ending on August 13, 2019.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." 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) (2017). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (Supp. 2017), 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."

With respect to breach of contract, "any teacher who fails to comply with the provisions of his [of her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S.C. Code Ann. § 59-25-530 (2017). "Upon the formal complaint of the school board, substantiated by conclusive evidence, the state board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year." *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Gobelbecker breached her contract and engaged in unprofessional conduct, and failed to comply with the provision of her contract. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Kayla Eve Gobelbecker, certificate 280026, for a period of one year, commencing August 14, 2018, and ending August 13, 2019. If Ms. Gobelbecker 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. Gobelbecker shall also pay all applicable reinstatement fees. The suspension of Ms. Gobelbecker's educator

certificate 280026 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within 30 days from the date of this order with the reason stated as “unprofessional conduct, breach of contract, willful neglect of duty, and failure to comply with the provisions of a contract without the written consent of the local school board.”

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
August 14, 2018