

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of	)	
	)	ORDER OF SUSPENSION
Tina Louise Nadzan	)	
	)	(BREACH OF CONTRACT)
Educator Certificate #288716	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 11, 2018. On October 26, 2018, the South Carolina Department of Education (SCDE) notified Tina Louise Nadzan, 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 the Greenville County School District (District). Ms. Nadzan received the certified mail on or before November 7, 2018, as evidenced by the signed postal receipt. Ms. Nadzan has not contacted the SCDE 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 December 11, 2018, and ending on December 10, 2019.

FINDINGS OF FACT

This case concerns a formal complaint by the District seeking the suspension of the educator certificate of Tina Louise Nadzan 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 August 16, 2018, Ms. Nadzan signed a Contract with the District for the 2018-2019 school year, agreeing to serve in the role of Academic Literacy Support at Lakeview Middle School (School). On October 8, 2018, Ms. Nadzan resigned from her position, effective immediately. On October 10, 2018, the District informed Ms. Nadzan that her resignation was not accepted and that her breach of contract would be reported to the Board for a referral to the SCDE for possible disciplinary action. On October 23, 2018, the District Board voted to recommend disciplinary action on Ms. Nadzan's educator certificate. On October 25, 2018, the District reported the breach of contract to the SCDE.

After considering the evidence presented, the State Board voted to suspend Ms. Nadzan's educator certificate for a period of one year, commencing December 11, 2018, and ending on December 10, 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. Nadzan breached her contract and engaged in unprofessional conduct, and failed to comply with the provisions of her contract. The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Tina Louise Nadzan, certificate 288716, for a period of one year, commencing December 11, 2018, and ending on December 10, 2019. If Ms. Nadzan 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. Nadzan shall also pay all applicable reinstatement fees.

The suspension of Ms. Nadzan's educator certificate 288716 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

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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
Sharon Wall, Ed.D., Chair

Columbia, South Carolina
December 11, 2018