

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the

Disciplinary Action of the

Educator Certificate of

Julie Kasik

Certificate 294970

ORDER OF SUSPENSION

(BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 10, 2019. On October 23, 2019, the South Carolina Department of Education (SCDE) sent Julie Kasik a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Kasik received the notice, as evidenced by postal tracking. She has not requested a hearing in this matter and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Kasik's educator certificate for a period of one year, commencing December 10, 2019, and ending December 8, 2020.

FINDINGS OF FACT

This case concerns a formal complaint from the Charleston County School District (District) seeking the suspension of the educator certificate of Ms. Kasik for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2018) and S.C. Code Ann. § 59-25-530 (2018).

On July 18, 2019, Ms. Kasik signed a contractual agreement with the District to serve as a teacher for 2019-20 school year. On August 23, 2019, Ms. Kasik submitted her resignation, effective immediately. The District responded on the same day, advising Ms. Kasik of the District's resignation policy and asking her to provide the appropriate paperwork for the given reason for her resignation. She was further informed that acceptance of the resignation would be pending until a suitable replacement could be found and that failure to fulfill her contract could result in action against her educator

certification. On September 10, 2019, Ms. Kasik was notified the District Board of Trustees would be informed of her breach of contract to determine if the breach should be reported to the SCDE. The District Board of Trustees voted to report Ms. Kasisk to the SCDE on September 23, 2019.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Kasik breached her contract with the District, and that just cause exists to suspend Ms. Kasik's certificate 294970 for a period of one year, commencing on December 10, 2019, and ending on December 8, 2019.

CONCLUSIONS OF LAW

"The South Carolina 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) (2018). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2018), the State Board of Education had the legal authority to suspend a certificate for "failure to comply with the provision 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 [or her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S. C. Code Ann. § 59-25-530 (2018). "Upon 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. Kasik breached her contract without the consent and/or approval of the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Julie Kasik for a period of one year, commencing on December 10, 2019, and ending on December 8, 2020.

If Ms. Kasik 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

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Services, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms. Kasik shall also pay the applicable reinstatement fee. The suspension of Ms. Kasik's educator certificate 294970 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty 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

s/Del-Gratia Jones
Del-Gratia Jones, Chair

Columbia, South Carolina
December 10, 2019