

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the

Disciplinary Action of the

Educator Certificate of

Kristin Victoria Pulido

Certificate 264526

ORDER OF SUSPENSION

(BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 12, 2019. On June 18, 2019, and September 19, 2019, the South Carolina Department of Education (SCDE) sent Kristin Victoria Pulido a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Pulido 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. Pulido's educator certificate for a period of one year, commencing November 12, 2019, and ending November 10, 2020.

FINDINGS OF FACT

This case concerns a formal complaint from the Greenville County School District (District) seeking the suspension of the educator certificate of Ms. Pulido 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 April 25, 2018, Ms. Pulido signed a contractual agreement with the District to serve as a teacher for 2018-19 school year. On April 5, 2019, Ms. Pulido submitted her resignation to the District, effective April 12, 2019. She informed the District that she was resigning due to lack of childcare.

On April 22, 2019, the District informed Ms. Pulido she was not released from her signed contract. She was further instructed as to District policy regarding resignations and

possible consequences at the District. Ms. Pulido was told her breach of contract would be reported to the SCDE.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Pulido breached her contract with the District, and that just cause exists to suspend Ms. Pulido's certificate 264526 for a period of one year, commencing on November 12, 2019, and ending on November 10, 2020.

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. Pulido 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 Kristin Victoria Pulido for a period of one year, commencing on November 12, 2019, and ending on November 10, 2020.

If Ms. Pulido 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. Pulido shall also pay the applicable reinstatement fee. The suspension

Kristin Victoria Pulido, Certificate 264526
Order of Suspension
Page 3

of Ms. Pulido's educator certificate 264526 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
November 12, 2019