

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Julie R. Huff
Certificate 221327

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on August 8, 2023. On August 15, 2022, the South Carolina Department of Education (SCDE) sent a notice via regular and certified mail, return receipt requested, to Julie R. Huff concerning the pending action against educator certificate 221327. Ms. Huff thereafter timely requested a hearing, which was held on May 15, 2023. This matter is properly before the State Board pursuant to S.C Code Ann. § 59-25-150 (2020) and referred to a hearing officer pursuant to S.C. Code Ann. 59-5-70 (2020). After considering the evidence, testimony, and the report and recommendations presented, the State Board voted to suspend the certificate of Ms. Huff, certificate 221327, for a period of three months, commencing on August 8, 2023, and ending on November 7, 2023.

FINDINGS OF FACT

This case concerns a formal complaint of the Greenville County School District (District) seeking the suspension of the educator certificate of Ms. Huff for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2020) and S.C. Code Ann. § 59-25-530 (2020).

On April 5, 2022, Ms. Huff signed a contractual agreement with the District to serve as a teacher for the 2022-23 school year. In March 2022, Ms. Huff was notified that her position as a English as a Second Language [ESOL] would be split between two schools in the District. Over the summer, Ms. Huff exchanged several emails with the District and could not come to terms with a schedule that she believed would work. Ms. Huff concluded that it would be impossible to commute between the two schools during the allotted time. She was subsequently offered a different position at a single location; however, the location required a commuting time Ms. Huff

would not accept. On July 24, 2022, Ms. Huff submitted her resignation to the District. The District informed Ms. Huff that the resignation would be considered a breach of contract. The District Board voted to report Ms. Huff's breach of contract to the SCDE on August 9, 2022. On August 10, 2022, the District reported the matter to the SCDE.

After considering the evidence presented during the hearing, the Hearing Officer recommended that Ms. Huff's educator certificate be suspended for a period of three months. The Hearing Officer concluded Ms. Huff knowingly chose not to complete her contract. The Hearing Officer noted that in mitigation, there was confusion and a lack of communication between the two parties. The Hearing Officer noted that Ms. Huff's concerns over how much time would be allowed for commuting, planning, and lunch breaks could have been resolved by further communication from the District.

After considering the evidence presented, the State Board finds just cause for the suspension of Ms. Huff's educator certificate for a period of three months, commencing on August 8, 2023 and ending on November 7, 2023.

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) (2020). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2021), the State Board of Education has 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. Huff breached her contract without the consent and/or approval of the District. Accordingly, the evidence

Julie R. Huff, Certificate 221327
ORDER OF SUSPENSION
August 8, 2023
Page 3

presented supports the State Board's determination that just cause exists to suspend the educator certificate of Julie R. Huff for a period of three months, commencing on August 8, 2023, and ending on November 7, 2023.

AND IT IS SO ORDERED.

South Carolina Board of Education
s/Crystal F. Stapleton, Ed.D.
Crystal F. Stapleton, Ed.D., Chair

Columbia, South Carolina
August 8, 2023