

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension

of the Educator Certificate

of Kiersten Warfield

Certificate #~~245502~~ *267971*

**CONSENT AGREEMENT OF
PUBLIC REPRIMAND**

This case concerns a petition by the Allendale County School District ("District") seeking the suspension of the Teaching Certificate of Kiersten Warfield ("Warfield") for Breach of Contract. Warfield requested a hearing, which was scheduled to be heard on November 17, 2014. Prior to the hearing, Ms. Warfield's attorney advised the District that Ms. Warfield had waived her right to a hearing and wished to resolve this matter by entering into a Consent Order of Public Reprimand, subject to the terms stated therein. After considering the evidence presented, the State Board hereby votes to accept the Consent Order of Public Reprimand.

FINDINGS OF FACT

Warfield holds a valid South Carolina professional educator certificate and was employed by the District as an art teacher for the 2014-2015 school year. On July 7, 2014, Warfield submitted correspondence to the District indicating she was resigning from her position. On July 24, 2014, the District met and discussed Warfield's request to be released from her contract. The District concluded that, pending the hiring of a suitable replacement, Warfield would be released. The District also notified Warfield that failure to report for work without proper release from her contract would subject her to a breach of contract action by the District, pursuant to S.C. Code Ann. § 59-25-530. Thereafter, Warfield failed to report for employment on August 12, 2014. The District reported Warfield's breach of contract to the State Department of Education

("Department") on August 26, 2014, pursuant to S.C. Code Ann. § 59-25-530, and Warfield subsequently requested a hearing, which was scheduled for November 17, 2014.

Prior to the hearing, Warfield's attorney advised the District that Warfield had agreed to waive her right to a hearing and to resolve this matter by entering into a Consent Order of Public Reprimand, subject to the following terms: (1) a Public Reprimand shall be issued by the Department; (2) the Public Reprimand shall be reported to all school districts in South Carolina as "breach of contract;" and (3) the Consent Order shall be posted on the Department's website and maintained as a public record in the Department's Office of General Counsel.

CONCLUSIONS OF LAW

The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person. S.C. Code Ann. § 59-25-150; 160. Just cause includes breach of contract. S.C. Code Ann. § 59-25-530.

The parties agree, and the State Board finds, that the evidence presented supports a conclusion that just cause does not exist to suspend or revoke the educator certificate of Kiersten Warfield; however, the evidence presented demonstrates that Warfield breached her contract of employment with the District and that just cause does exist for the issuance of a Public Reprimand by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Ms. Kiersten Warfield, Certificate 245502. The Public Reprimand shall be reported to all school districts in South Carolina with the grounds listed as "breach of contract." This Consent Order of Public Reprimand shall be posted on the Department's website and shall be maintained as a public record in the Department's Office of General Counsel.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: _____

[Handwritten signature: Ann G. Cope]

Columbia, South Carolina

January 8, 2015

April *gjc*

I, Kiersten Warfield, SC Educator Certificate 245502, do hereby agree to the proposed Consent Order of Public Reprimand, consisting of three (3) pages, and understand that this Order will be presented to the State Board of Education for approval.

[Handwritten signature: Kiersten Warfield]
Kiersten Warfield

2/9/2015

Date

I, Terry Hall, on behalf of the Allendale County School District, do hereby agree to the proposed Consent Order of Public Reprimand, consisting of three (3) pages, and understand that this Order will be presented to the State Board of Education for approval.

[Handwritten signature: Terry Hall]
Terry Hall

1/26/2015
Date