

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Kathleen R. Cartwright	)	(BREACH OF CONTRACT)
	)	
Certificate 247867	)	
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 12, 2015. On June 11, 2015, the South Carolina Department of Education (SCDE) sent Kathleen R. Cartwright notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, certificate 247867, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Cartwright received the notice on June 19, 2015, as evidenced by the signed postal receipt. Ms. Cartwright did not contact SCDE to request a hearing and is in default.

After considering the evidence presented, the State Board voted to suspend Ms. Cartwright's educator certificate for a period of one year, commencing on August 12, 2015, and ending on August 11, 2016.

FINDINGS OF FACT

The case concerns a formal complaint by the Anderson County School District Five District) seeking the suspension of the educator certificate of Kathleen R. Cartwright for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann. § 59-25-530 (2004).

Ms. Cartwright holds a valid South Carolina educator certificate and has over four years of teaching experience. She has no prior record of disciplinary action with the State Board. On April 11, 2014, Ms. Cartwright signed a continuing contract with the District to serve as a teacher in the District for the 2014-2015 school year. On March 27, 2015, Ms. Cartwright submitted a letter to the principal informing the principal that she was resigning from her position effective April 17, 2015.

On April 7, 2015, the District sent a letter to Ms. Cartwright informing her that her request to resign would be inconsistent with District policies and that the District was not releasing her from her contract. The letter also informed Ms. Cartwright that if she failed to report to work, the District administration would recommend that the Board of Trustees report her breach of contract to the State Board of Education.

The District administration attempted to work with Ms. Cartwright and informed her that the District would release her from the contract if she would work through May 1, 2015, in order to fully prepare her students for the required End of Course test. Ms. Cartwright declined the offer and did not report to work after April 17, 2015. In a letter dated May 12, 2015 the District informed Ms. Cartwright that she had abandoned her employment with the District and that the Superintendent would recommend to the Anderson School District Five Board of Trustees (Board of Trustees) that her breach of contract be reported to the State Board of Education for suspension or revocation of her certificate.

On May 19, 2015, the Board of Trustees voted to report Ms. Cartwright to the State Board of Education. On May 28, 2015, the District informed SCDE of Ms. Cartwright's breach of contract.

On June 5, 2015, the SCDE sent Ms. Cartwright notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, certificate 247867, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Cartwright received the notice on June 19, 2015, as evidenced by the signed postal receipt. Ms. Cartwright did not contact SCDE to request a hearing and is in default.

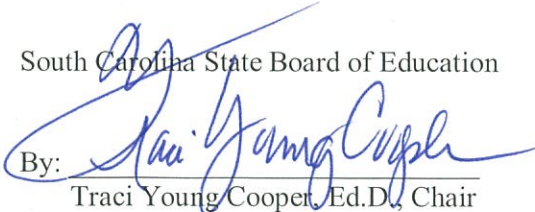
After considering the evidence presented, the State Board finds that the evidence presented demonstrates that Ms. Cartwright engaged in unprofessional conduct and willfully neglected her duty when she breached her contract with the District, and that just cause exists to suspend Ms. Cartwright's educator certificate for a period of one year, commencing on August 12, 2015, and ending on August 11, 2016.

CONCLUSIONS OF LAW

“The State Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004). 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) (2004). Pursuant to 2 S.C. Code Regs. 43-58 (2) and (14) (2011), the State Board of Education has the legal authority to suspend, *inter alia*, 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.” The State Board finds that the evidence presented demonstrates that Ms. Cartwright breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the District. The evidence presented further supports the State board’s determination that just cause exists to suspend the educator certificate of Kathleen R. Cartwright, certificate 247867, for a period of one year, commencing on August 12, 2015, and ending on August 11, 2016. If Ms. Cartwright wishes to have her 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. Cartwright shall also be responsible for paying any applicable reinstatement fees. The suspension of Ms. Cartwright, educator certificate 247867 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 

Traci Young Cooper, Ed.D., Chair