

**STATE OF SOUTH CAROLINA
BEFORE THE STATE BOARD OF EDUCATION**

In the Matter of the Suspension)

of the Educator Certificate of)

LeTecia H. Stauch,)

Educator Certificate #261777)

_____)

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 11, 2016. The South Carolina Department of Education (SCDE) notified LeTecia Stauch of her right to a hearing regarding the possible suspension of her South Carolina Educator Certificate via certified letter dated October 29, 2015. Mrs. Stauch requested a hearing and a hearing was held on March 28, 2016. The hearing concerned Mrs. Stauch's breach of contract in abandoning her teaching duties in the Marion County School District (District).

After considering the evidence presented, the State Board voted to suspend Mrs. Stauch's educator certificate for a period of one hundred eighty (180) days from May 11, 2016, through November 7, 2016.

FINDINGS OF FACT

This is a breach of contract matter in which Mrs. Stauch abandoned her teaching duties with the District after seven (7) days of employment. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann § 59-25-160 (2004).

Mrs. Stauch holds a valid South Carolina Educator Certificate and was employed by Palmetto Middle School as a social studies teacher for the 2015-2016 school year. Mrs. Stauch

signed an annual contract with the District on June 24, 2015. Unknown to the District at that time, Mrs. Stauch had also contracted to teach in Charleston for the same time period.

Mrs. Stauch attended the five days of In-Service Professional Development (August 10, 2015 through August 14, 2015) and the first two days of school (August 17- 18, 2015) but failed to report for her teaching duties thereafter. She did not provide a resignation or otherwise notify the school that she would not be fulfilling her duties. The school principal and the Director of Human Resources for the District tried unsuccessfully to reach her via telephone on August 19 and 20, 2015. On August 20, 2015, Mrs. Stauch responded to an email sent by the Director of Human Resources.

In this email, Mrs. Stauch indicated that she left the District because she experienced harassment and retaliation after requesting to be released from her contract due to a pending military move, which she claims had been denied. She also alleged that the District Superintendent's niece was her husband's ex-wife and that the harassment and retaliation were due to this relationship. She threatened to file an EEOC claim unless she was released from her contract. The harassment and retaliation claim was investigated and remains unsubstantiated.

The August 20, 2015, email from Mrs. Stauch was the first time that Mrs. Stauch had submitted a written request for release from her contract. District Policy GCQC/GCQD requires that all requests to terminate a contract be in writing to the District Superintendent. Mrs. Stauch signed a statement during the In-Service Professional Development stating that she had read the District's policies and understood that such policies could be found on the District's website.

Further, the District did not receive the military transfer papers on Mrs. Stauch's husband until it received these documents in her prehearing statement in this matter. The District Superintendent notified Mrs. Stauch via letter dated August 24, 2015 that her August 20, 2015 request for release from her contract was denied in that she had abandoned her position and that her employment was terminated. On September 15, 2015, the Marion County School District Board of Trustees voted to deny Mrs. Stauch's request for release from her contract and to notify the State Board of her breach of contract.

On October 29, 2015, SCDE sent Mrs. Stauch a notice of her right to a hearing regarding the possible suspension of her South Carolina Educator Certificate #261777, by regular and certified mail, return receipt requested, delivery restricted to addressee. Mrs. Stauch timely requested a hearing and requested that the hearing be scheduled for the week of March 28, 2016. On March 28, 2016, a hearing was held concerning Mrs. Stauch's alleged Breach of Contract with the Marion County School District.

After considering the evidence presented at the March 28, 2016 hearing, the State Board finds that the evidence presented demonstrates that Mrs. Stauch breached her contract with the District and a suspension of her Educator Certificate is warranted. Accordingly, the Board finds that just cause exists to suspend Mrs. Stauch's Educator Certificate #261777 for a period of one hundred eighty (180) calendar days, commencing on May 11, 2016, and ending on November 7, 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*,

“willful violation of the rules and regulations of the State Board of Education” and “unprofessional conduct.” S.C. Code Ann. § 59-25-160 (3) and (4) (2004).

S. C. Code Ann. §59-25-530 (2004) provides that a teacher who fails to comply with the provisions of his or her contract without the written consent of the school board is deemed guilty of unprofessional conduct and subject to suspension of his or her educator certificate for up to one calendar year.

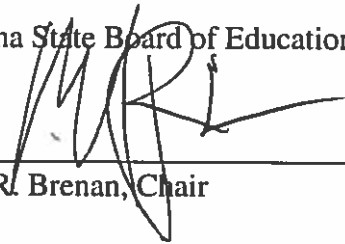
The State Board finds that the evidence presented demonstrates that Mrs. Stauch breached her contract by engaging in unprofessional conduct, willfully neglecting her duty, and failing to comply with the provisions of her contract without the written consent of the Marion School District. Accordingly, the evidence presented supports the State Board’s determination that just cause exists to suspend the Educator Certificate of LeTecia H. Stauch, Educator Certificate #261777, for a period of one hundred eighty (180) calendar days, commencing on May 11, 2016, and ending on November 7, 2016.

If Mrs. Stauch 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. Mrs. Stauch shall also pay all applicable reinstatement fees. The suspension of Mrs. Stauch’s Educator Certificate #261777 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty (30) days from the date of this order.

AND IT IS SO ORDERED.

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South Carolina State Board of Education

By: 
Michael R. Brennan, Chair

Columbia, South Carolina
May 11, 2016