

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	ORDER OF SUSPENSION
	)	
Claire Marie Krietemeyer,	)	(BREACH OF CONTRACT)
	)	
<u>Certificate 281395</u>	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 8, 2017. On May 31, 2017 the South Carolina Department of Education (SCDE) served Claire Marie Krietemeyer a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Krietemeyer received this notice on June 5, 2017, as evidenced by the signed postal receipt bearing her signature. Ms. Krietemeyer has contacted the SCDE and indicated that she does not wish to request a hearing. Ms. Krietemeyer is now in default. After considering the evidence presented, the State Board voted to suspend Ms. Krietemeyer's educator certificate for a period of one year, commencing on August 8, 2017, and ending on August 7, 2018.

FINDINGS OF FACT

This case concerns a formal complaint by the Greenville County Schools (District) recommending the suspension of the educator certificate of Claire Marie Krietemeyer for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2016) and S.C. Code Ann § 59-25-530 (2016).

Ms. Krietemeyer holds an initial South Carolina educator certificate, effective July 1, 2016, and has no prior teaching experience. On May 10, 2016, Ms. Krietemeyer signed a Contractual Agreement with the District to serve as a teacher at Duncan Chapel Elementary School for the 2016-2017 school year. On February 17, 2017, Ms. Krietemeyer submitted her resignation to the District, effective immediately. On May 15, 2017, Margaret Spivey, Director of Professional Employment, informed Ms. Krietemeyer that her request was not in compliance with Board Policy GBO, Classification of Employees: Resignation and was considered a breach

of her contract. Ms. Krietemeyer failed to return to work. On March 28, 2017, the District's Board of Trustees voted to submit this information to the State Board for disciplinary action and determined that Ms. Krietemeyer had not been released from her contract in accordance with District Policy GBO, Classification of Employees: Resignation. On May 25, 2017, the District reported this matter to SCDE, requesting that the State Board take disciplinary action on Ms. Krietemeyer's educator certificate.

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 (2016). 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) (2016). Pursuant to S.C. Code Ann. § 59-25-530 (Rev. 2016), "any teacher who fails to comply with the provisions of her contract without the written consent of the school board shall be deemed guilty of unprofessional conduct." 24 S.C. Code Ann. Regs. 43-58 (2) and (14) (2016), provide that the State Board of Education has the legal authority, *inter alia*, to suspend a certificate for "wilful 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. Krietemeyer 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 Claire Marie Krietemeyer, certificate 281395, for a period of one year, commencing on August 8, 2017, and ending on August 7, 2018. If Ms. Krietemeyer 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. Krietemeyer shall also pay the applicable reinstatement fee. The suspension of Claire Marie Krietemeyer's educator certificate 281395 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

By: _____


Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
August 8, 2017