

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of) **CONSENT ORDER OF SUSPENSION**
)
Mary E. Schilling,)
)
Certificate 253971)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 13, 2017. On March 29, 2017, the South Carolina Department of Education (SCDE) sent notice to Ms. Schilling informing her that the State Board would meet to make a determination regarding the possible suspension of her educator certificate by regular and certified mail, return receipt requested. Ms. Schilling received the notice and requested an alternate resolution in this matter. Ms. Schilling has agreed to waive her right to a hearing and enter into a Consent Order of Suspension of her educator certificate 253971 for a one year period. Ms. Schilling has informed SCDE that she voluntarily entered a rehabilitation facility on March 21, 2017 and has agreed to submit documentation to SCDE upon her successful completion of the program. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Ms. Schilling's educator certificate for a period of one year commencing on June 13, 2017, and ending on June 12, 2018.

Mary E.
Schilling
253971

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FINDINGS OF FACT

Ms. Schilling holds an educator certificate and has over four years of educator experience. She has no prior record of disciplinary action with the State Board. The Florence County School District Three (District) employed Ms. Schilling as a fourth grade teacher at Main Street Elementary School (School) from October 20, 2014, until her resignation for personal reasons on September 2, 2016. Ms. Schilling admitted she had prescription drug dependence and voluntarily participated in an outpatient treatment program. On September 1, 2016, the outpatient treatment program informed the District that Ms. Schilling had failed her drug screen and had been dismissed from the program. On September 2, 2016, the District reviewed Policy GAMB – Drug, Alcohol and

Tobacco Free Workplace with Ms. Schilling and she elected to resign from the District on that date. On October 18, 2016, the District Superintendent reported Ms. Schilling to SCDE for misconduct involving illegal drugs.

On March 21, 2017, Ms. Schilling entered the Albemarle Teen Challenge Facility (Facility), a 12-15 month residential treatment program for women. On May 2, 2017, after receiving the notice letter, Ms. Schilling called the SCDE to discuss an alternate resolution to the action against her educator certificate. Ms. Schilling was already in residence at the Facility and the facility staff indicated she was a model participant in the program. Her drug screens have been negative. Ms. Schilling agreed to waive her right to a hearing and pursue an alternative resolution in this matter. Ms. Schilling has agreed that her educator certificate will be suspended for a year. Ms. Schilling will remain in treatment at the Facility for 12-15 months. Ms. Schilling has agreed that she shall submit documentation of the successful completion of the program at the Facility and provide a statement from the Facility that Ms. Schilling is safe and fit to return to teaching before she requests the reinstatement of her educator certificate.

Mary E.
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CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2016); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct and possession of narcotics. S.C. Code Ann. § 59-25-160 (2016). The State Board finds that the evidence presented by the SCDE demonstrates that Ms. Schilling engaged in unprofessional conduct and was in possession of narcotics as a result of her failing her drug screen and her admission to opioid dependence. The State Board finds that Ms. Schilling is presently seeking inpatient treatment at a facility to address her drug dependency. The State Board finds that the information presented supports its conclusion that just cause exists to accept the Consent Order of Suspension of the educator certificate of Mary E. Schilling, and to suspend Ms. Schilling’s educator certificate for a period of one year commencing on June 13, 2017, and ending on June 12, 2018.

Now, therefore, it is hereby ordered that the educator certificate of Mary E. Schilling, certificate 253971, is suspended for a period of one year commencing on June 13, 2017 and ending June 12, 2018.

If Ms. Schilling wishes to have her certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE's Office of Educator Services and provide documentation from the Facility that she has successfully completed her rehabilitation program and is safe and fit to return to the teaching profession. Ms. Schilling shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Ms. Schilling's educator certificate 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.

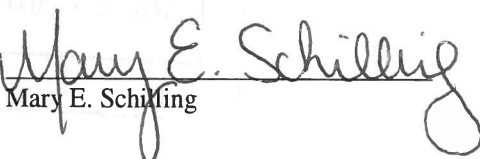
South Carolina State Board of Education

By:


Ivan Randolph, Ph.D., Chair

Columbia, South Carolina
June 13, 2017

I, Mary E. Schilling, S.C. Educator Certificate 253971, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I agree that during the period of suspension, I will not serve as a volunteer in any type of educator role or be employed as an educator, paraprofessional, aide, substitute teacher, coach or in any other position in a public school in the State of South Carolina. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review. I hereby freely, knowingly and voluntarily agree to the suspension of my educator certificate by the South Carolina State Board of Education. I agree to the proposed Consent Order of Suspension, consisting of four pages, and understand that this Order will be presented to the South Carolina State Board of Education on June 13, 2017.


Mary E. Schilling

5-22-2017
Date