

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the

Disciplinary Action of the

Educator Certificate of

Regina F. Bellereide

Certificate 297236

ORDER OF SUSPENSION

(BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on January 14, 2020. On November 20, 2019, and December 9, 2019, the South Carolina Department of Education (SCDE) sent Regina F. Bellereide a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Bellereide received the notice, as evidenced by postal tracking. She has not requested a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Ms. Bellereide's educator certificate for a period of one year, commencing January 14, 2020, and ending January 13, 2021.

FINDINGS OF FACT

This case concerns a formal complaint from the Charleston County School District (District) seeking the suspension of the educator certificate of Ms. Bellereide for breach of contract. The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2018) and S.C. Code Ann. § 59-25-530 (2018).

On July 6, 2019, Ms. Bellereide signed a contractual agreement with the District to serve as a teacher for 2019-20 school year. On August 22, 2019, Ms. Bellereide submitted her resignation to the District, effective the following day on August 23, 2019. On August 23, 2019, the District met with Ms. Bellereide and provided a formal notice that she would not be released from her contract until a suitable replacement could be found. On September 4, 2019, the District gave Ms. Bellereide notice that she was in breach of contract after her failure to report to work. On September 26, 2019, the District

Board of Trustees upheld the recommendation to report Ms. Bellereide to the SCDE as a breach of contract.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Ms. Bellereide breached her contract with the District, and that just cause exists to suspend Ms. Bellereide's certificate 297236 for a period of one year, commencing on January 14, 2020, and ending on January 13, 2021.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." 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) (2018). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2018), the State Board of Education had the legal authority to suspend a certificate for "failure to comply with the provision of a contract without the written consent of the local school board." With respect to breach of contract, "any teacher who fails to comply with the provisions of his [or her] contract without written consent of the school board shall be deemed guilty of unprofessional conduct." S. C. Code Ann. § 59-25-530 (2018). "Upon formal complaint of the school board, substantiated by conclusive evidence, the state board shall suspend or revoke the teacher's certificate, for a period not to exceed one calendar year." *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Bellereide breached her contract without the consent and/or approval of the District. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the educator certificate of Regina F. Bellereide for a period of one year, commencing on January 14, 2020, and ending on January 13, 2021.

If Ms. Bellereide 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. Bellereide shall also pay the applicable reinstatement fee. The

suspension of Ms. Bellereide's educator certificate 297236 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order, with the reason stated as "unprofessional conduct, breach of contract, willful neglect of duty, and failure to comply with the provisions of a contract without the written consent of the local school board."

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Michael Brennan
Michael Brennan, Chair

Columbia, South Carolina
January 14, 2020