

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Kara L. Merritt
Certificate 192213

CONSENT ORDER OF PUBLIC REPRIMAND

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 10, 2020. On April 6, 2020, the South Carolina Department of Education (SCDE) sent Kara L. Merritt a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against her educator certificate. Ms. Merritt contacted the SCDE and advised that she desired to waive her right to a hearing and pursue an alternative resolution in this matter. Ms. Merritt has agreed to this Consent Order of Public Reprimand. Ms. Merritt further agrees to successfully complete an SCDE-approved anger management course within six months of the date of this order. After considering the evidence presented, the State Board voted to accept this Consent Order of Public Reprimand.

FINDINGS OF FACT

Ms. Merritt holds a valid South Carolina professional educator certificate and has over twenty years of experience. At the time of the incident, Ms. Merritt was employed by the Georgetown County School District (District) as a teacher at Maryville Elementary School (School).

Ms. Merritt was placed on administrative leave on March 4, 2020, following an incident where she made contact with a student's head with a clipboard. Ms. Merritt was subsequently arrested for Assault and Battery, 3rd degree. On March 30, 2020, the South Carolina Department of Education (SCDE) received a telephone call from the District informing the SCDE that Ms. Merritt made contact with a student's head with a clipboard. A written statement signed by the student detailed that on March 3, 2020, the student arrived home from school and informed his legal guardian that a teacher contacted his

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head with a clipboard. When asked what occurred, the student reported that while he was in the cafeteria waiting for the bus, students at his table were being loud while Ms. Merritt attempted to hear announcements on the cafeteria speaker. Ms. Merritt instructed the students at the table to be quiet, however, one student continued acting out. Ms. Merritt then contacted the student's head with a clipboard and told him to be quiet. When confronted, Ms. Merritt denied doing such; however, she maintained if she did make contact it was an accident and she was sorry. However a video recording of the incident demonstrated she made contact with the student. After viewing the video, Ms. Merritt stated, "I am mortified at myself" and indicated she wished to apologize to the student and his family. By entering into this agreement, Ms. Merritt makes no admission of fact regarding the underlying criminal charges.

Ms. Merritt has agreed to waive her right to a hearing and to resolve this disciplinary matter by entering into this Consent Order of Public Reprimand, subject to the following terms: (1) a Public Reprimand shall be issued by the State Board, (2) the Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order, and (3) the Consent Order of Public Reprimand shall be posted on the SCDE's website and shall be maintained as a public record in the SCDE's Office of General Counsel. Ms. Merritt also agrees to complete an SCDE-approved anger management course within six months. After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand with the terms set forth above.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2017); 24 S.C. Code Regs. 43-58 (2017). The State Board finds that the evidence

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presented by the District would not support a conclusion that just cause exists to suspend or revoke the educator certificate of Kara L. Merritt; however, the evidence that would be presented would support a conclusion that Ms. Merritt engaged in unprofessional conduct as a result of inappropriately contacting a student's head with a clipboard after the student failed to follow instructions. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Ms. Merritt by the State Board. Ms. Merritt is required to successfully complete an SCDE-approved anger management course within the next six months.

NOW, THEREFORE, it is ordered that the State Board hereby issues a Public Reprimand to Kara L. Merritt, certificate 192213. The Public Reprimand shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the grounds listed as "unprofessional conduct." This Consent Order of Public Reprimand shall be posted on the SCDE's web site and shall be maintained as a public record in the SCDE's Office of General Counsel.

AND IT IS SO ORDERED

South Carolina State Board of Education

s/Michael Brennan

Michael Brennan, Chair

Columbia, South Carolina
November 10, 2020

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I, Kara L. Merritt, S.C. Educator Certificate 192213, 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 understand that the terms set forth in this Consent Order of Public Reprimand are not subject to reconsideration, collateral attack or judicial review. I have read the Consent Order of Public Reprimand, consisting of four pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented to the South Carolina State Board of Education for approval on Tuesday, November 10, 2020. I understand this Consent Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of “/S/ name” for required website publication.

s/Kara L. Merritt
Kara L. Merritt

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