

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Kayla Elizabeth Duncan
Certificate 258954

**ORDER OF SUSPENSION
(BREACH OF CONTRACT)**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on January 6, 2026. On August 11, 2025, the South Carolina Department of Education (SCDE) sent Kayla Elizabeth Duncan a notice via regular and certified mail of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. The SCDE has verified Ms. Duncan's address and the letter sent via regular mail has not been returned. On December 4, 2025, the SCDE informed Ms. Duncan via regular mail that the State Board would meet on January 6, 2026, or as soon thereafter as is feasible, to consider action against her educator certificate. Under the South Carolina Rules of Civil Procedure 5(b), Kayla Elizabeth Duncan has been given fair notice of constitutional due process. Ms. Duncan has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Kayla Elizabeth Duncan's educator certificate for a period of six months, commencing June 3, 2025, and ending on December 2, 2025.

FINDINGS OF FACT

Ms. Duncan holds a South Carolina educator certificate. She has over ten (10) years of educator experience and has no prior record of disciplinary action with the State Board. At the time, Ms. Duncan was employed by the Greenwood County School District 52 as a teacher at Ninety Six High School.

On March 24, 2025, Ms. Duncan signed a contractual agreement with the District to serve as a teacher for the 2025-2026 school year. On May 29, 2025, Ms. Duncan

submitted her resignation to the District, effective June 3, 2025, citing accepting an opportunity that aligns with current professional goals and personal circumstances. On June 11, 2025, the District informed Ms. Duncan she would not be released from her contract NONE. She did not return to fulfill her contract. The District Board voted to report Ms. Duncan's breach of contract to the SCDE on June 10, 2025. The District reported the matter to the SCDE on July 16, 2025.

After considering the evidence, the State Board finds that the evidence presented demonstrates that Kayla Elizabeth Duncan breached her contract with the District, and that just cause exists to suspend Ms. Duncan's certificate 258954 for a period of six months, commencing on June 3, 2025, and ending on December 2, 2025.

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. Just cause includes "breach of contract." S.C. Code Ann. § 59-25-160 (13) (2025). Pursuant to 24 S.C. Code Regs. 43-58 (2) and (14) (2021), the State Board of Education has 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 educator who fails to comply with the provisions of his contract without the written consent of the school board is considered to be in breach of contract." S. C. Code Ann. § 59-25-530 (2025). "Upon formal complaint of the school board, substantiated by conclusive evidence, the state board shall suspend or revoke the teacher's certificate." *Id.* The period of suspension for breach of contract, "must begin on the date such contract is breached with the district and run for a period of time deemed appropriate by the State Board of Education, not to exceed six months from the date of breach." *Id.* An educator may not be signed to an employment contract by any South Carolina public school during the term of suspension. *Id.*

The State Board finds that the evidence presented demonstrates that Ms. Duncan 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 Kayla Elizabeth Duncan for a period of six months, commencing on June 3, 2025, and ending on December 2, 2025.

If Ms. Duncan 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. Duncan shall also pay the applicable reinstatement fee. The suspension of Kayla Elizabeth Duncan's educator certificate 258954 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 "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/David M. Mathis
David M. Mathis, Chair

Columbia, South Carolina
June 6, 2026