

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
and Voluntary Surrender of the)
)
Educator Certificate of)
)
M. Kellie McBee)
)
Certificate 164643)

**CONSENT ORDER OF
PERMANENT
VOLUNTARY SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 10, 2011. On June 9, 2010 the South Carolina Department of Education (SCDE) sent M. Kellie McBee a notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate 164643 by regular and certified mail, return receipt, restricted delivery. On or about June 23, 2010, Ms. McBee received the notice, as evidenced by a postal receipt bearing her signature. On June 30, 2010, Ms. McBee's attorney contacted the SCDE and requested a private hearing in this matter. Prior to the scheduling of the hearing in this matter, Ms. McBee's attorney informed the SCDE that Ms. McBee had agreed to waive her right to a hearing and had agreed to the permanent voluntary surrender of her educator certificate. After reviewing the information presented, the State Board voted to accept the permanent voluntary surrender of Ms. McBee's educator certificate.

M. Kellie
McBee
164643

Initials
1/14/11
Date

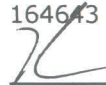
FINDINGS OF FACT

Ms. McBee holds a professional educator certificate and has over eighteen years of teaching experience. She was employed by the Greenville County School District (District) for the 2009-2010 school year as a physical education teacher in the Health Academy at Carolina High School. The District investigated allegations that Ms. McBee violated District procedures as a result of her engaging in an inappropriate relationship with a student. On March 27, 2010, Ms.

McBee resigned from her position with the District. Ms. McBee has no prior disciplinary actions against her with the State Board.

On June 9, 2010 the SCDE sent Ms. McBee a notice of her right to a hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate 164643 by regular and certified mail, return receipt, restricted delivery. On or about June 23, 2010, Ms. McBee received the notice, as evidenced by a postal receipt bearing her signature. On June 30, 2010, Ms. McBee's attorney contacted the SCDE and requested a private hearing in this matter. Prior to the scheduling of the hearing in this matter, Ms. McBee's attorney informed the SCDE that Ms. McBee had agreed to waive her right to a hearing and had agreed to the permanent voluntary surrender of her educator certificate. After reviewing the information presented, the State Board voted to accept the permanent voluntary surrender of Ms. McBee's educator certificate.

Ms. McBee voluntarily agrees to the permanent surrender of her educator certificate 164643 and agrees to the following conditions: (1) her educator certificate will become permanently invalid and revoked immediately upon the approval by the State Board of the permanent voluntary surrender; (2) she may never apply for a South Carolina educator certificate; (3) she has waived her right to a hearing and understands that the terms set forth herein are not subject to reconsideration, collateral attack or judicial review; and (4) she agrees that his surrender will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and revocation with the reasons stated as "unprofessional conduct and evident unfitness for position for which employed."

M. Kellie McBee 164643  Initials 1/14/11 Date
--

CONCLUSIONS OF LAW

The South Carolina State Board of Education may, for just cause, either revoke or suspend the certificate of any person. S.C. Code Ann. § 59-25-160 (2004). Just cause includes unprofessional conduct and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code

Ann. Regs. 43-58 (Supp. 2009). The State Board finds that the evidence presented by the SCDE demonstrates that Ms. McBee engaged in unprofessional conduct and demonstrated an evident unfitness for the position for which she was employed when she violated District procedures by engaging in an inappropriate relationship with a student. The State Board finds that sufficient information exists to support its decision to accept the permanent voluntary surrender of Ms. McBee's educator certificate.

Now, therefore, it is hereby ordered that the Consent Order of Permanent Voluntary Surrender of the educator certificate of Melissa Kellie McBee, certificate 164643 is accepted. The permanent voluntary surrender of McBee'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 with the reason stated as "unprofessional conduct and evident unfitness for position for which employed."

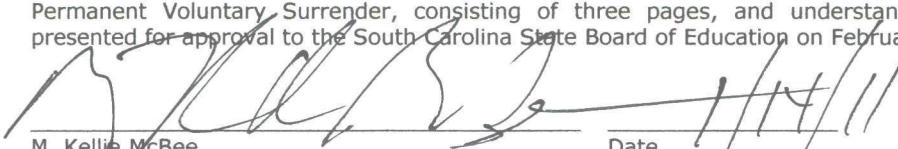
AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Gerrita Postlewait, Chair

Columbia, South Carolina
February 10, 2011

I, M. Kellie McBee, S.C. Educator Certificate 164643, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education certificate holders and that I have waived my right to a hearing in this matter. I hereby freely, knowingly and voluntarily permanently surrender my educator certificate to the South Carolina State Board of Education. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve as a volunteer 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 agree to the proposed Consent Order of Permanent Voluntary Surrender, consisting of three pages, and understand that this Order will be presented for approval to the South Carolina State Board of Education on February 10, 2011.


M. Kellie McBee

Date 2/10/11