

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
or Revocation of the)
)
Educator Certificate of)
)
Michael C. McDonald)
)
Certificate 221040)
_____)

**CONSENT ORDER OF
PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 8, 2011. On May 27, 2011, the South Carolina Department of Education (SCDE) sent Michael C. McDonald a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 221040 by certified mail, return receipt, restricted delivery, and regular mail. Mr. McDonald received the notice on June 2, 2011, as evidenced by a postal receipt bearing his signature. On June 7, 2011, Mr. McDonald requested a hearing.

Prior to the hearing, Mr. McDonald advised the SCDE that he had agreed to waive his right to a hearing and to resolve this disciplinary matter by entering into a Consent Order of Public Reprimand, subject to the terms stated herein. After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand.

Accepted

McM

Initial

8/19/11

Date

Michael C.
McDonald
221040

FINDINGS OF FACT

Mr. McDonald holds a valid South Carolina professional educator certificate and has over eight years of teaching experience. Since 2005, Mr. McDonald had been employed by Horry County School District (District) as a tenth, eleventh and twelfth grade English Teacher at North Myrtle Beach High School, until he resigned from the District effective January 31, 2011, following an investigation into allegations that Mr. McDonald had sent personal text messages to a female student after previously being warned not to send text messages to any students. Mr. McDonald has no prior record of disciplinary action with the State Board.

On May 27, 2011, the South Carolina Department of Education (SCDE) sent Michael C. McDonald a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 221040 by certified mail, return receipt, restricted delivery, and regular mail. Mr. McDonald received the notice on June 2, 2011, as evidenced by a postal receipt bearing his signature. On June 7, 2011, Mr. McDonald requested a hearing.

Prior to the hearing, Mr. McDonald advised the SCDE that he had agreed to waive his right to a hearing and to resolve this disciplinary matter by entering into a 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 all school districts in South Carolina with the grounds listed as "unprofessional conduct," 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.

Mr. McDonald has cooperated with SCDE and has completed the Darkness to Light training program. He has also completed a six hour online course in "Ethics and Safety for Our Schools". Mr. McDonald has provided documentation confirming successful completion of the Darkness to Light training program and the course in "Ethics and Safety for Our Schools." 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 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (Supp. 2010). The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend or revoke the educator certificate of Michael C. McDonald; however the evidence presented demonstrates that Mr. McDonald engaged in unprofessional conduct by sending personal

Accepted

McM

Initial

8/19/11

Date

Michael C.
McDonald
221040

text messages to a student and that just cause does exist for the issuance of a Public Reprimand by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Michael C. McDonald, certificate 221040. The Public Reprimand shall be reported to all school districts in South Carolina 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.

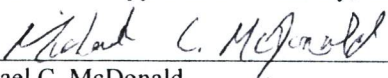
AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 
Gerrita Postlewait, Chair

Columbia, South Carolina
September 8, 2011

I, Michael C. McDonald, SC Educator Certificate 221040, do hereby agree to the proposed Consent Order of Public Reprimand, consisting of three pages, and understand that this Order will be presented to the State Board for approval on Thursday, September 8, 2011.

 8/19/11
Michael C. McDonald Date