

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Suspension of the Educator Certificate)
Of Christopher Bryant Cheely)
Certificate 252602)

**CONSENT ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 11, 2016. On October 1, 2015, the South Carolina Department of Education (SCDE) summarily suspended Christopher Bryant Cheely's educator certificate 252602. The SCDE sent Mr. Cheely notice by regular and certified mail, return receipt requested, that the State Board would be meeting to make a determination regarding disciplinary action of his South Carolina educator certificate 252602 pursuant to S.C. Code Ann. § 59-25-160 (Rev. 2004), for unprofessional conduct. After receiving this notice, Mr. Cheely's attorney contacted the SCDE to request a hearing on this matter. Prior to scheduling the hearing, Mr. Cheely's attorney contacted the SCDE again to request an alternate resolution. Mr. Cheely has agreed to the continued suspension of his educator certificate 252602. To allow Mr. Cheely credit for the approximately seven months since his summary suspension, the suspension period for this consent order will begin on May 11, 2016, and continue until October 1, 2017.

Christopher
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FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (Rev. 2004) S.C. Code Ann. § 59-25-160 (Rev. 2004).

Mr. Cheely holds a valid South Carolina professional educator certificate and has over five years of teaching experience in South Carolina. Mr. Cheely had been employed by the Georgetown County School District (District) since 2011, as a science teacher at Andrews High School (School). On September 10, 2015, the District placed Mr. Cheely on administrative leave during an investigation into allegations that he violated District

policies regarding improper, inappropriate, or unprofessional relationships with students and lack of judgment in execution of duties. On October 1, 2015, the Chair of the State Board summarily suspended Mr. Cheely's educator certificate, following his arrest on September 22, 2015, on the charge of Assault and Battery, 3rd degree, as a result of allegations reported by the District that Mr. Cheely had inappropriately touched a female student when she walked past him leaving and coming back to a classroom at the School. It was also alleged that he had previously made comments about the student's appearance, which made her feel uncomfortable. Mr. Cheely subsequently resigned from the District, effective December 31, 2015. Mr. Cheely denies the allegations in the criminal charge.

Mr. Cheely has cooperated with SCDE during its investigation. He has successfully completed a six hour online course in Ethics and Safety for Our Schools taught by the University of North Carolina School of Education, Carolina Center for Educational Excellence. Mr. Cheely also completed the SCDE course entitled Advocacy 101.

While Mr. Cheely denies the pending criminal allegations made against him, in order to resolve this matter, Mr. Cheely agrees to the suspension of his educator certificate, subject to the following conditions: (1) his educator certification will be suspended for eighteen months upon the approval by the State Board of the Consent Order of Suspension; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the suspension of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse.

Christopher
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CONCLUSIONS OF LAW

"The State 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), S.C. Code Ann. Regs. 43-58 (Supp. 2009). The State Board finds that the evidence presented demonstrates that Mr. Cheely engaged in unprofessional conduct as a result of his inappropriate behavior with students and his inappropriate comments in

class and that just cause exists to continue the suspension of Mr. Cheely's educator certificate 252602, for a period beginning on May 11, 2016, and ending on October 1, 2017.

Now, therefore, it is hereby ordered that the educator certificate of Christopher Bryant Cheely, certificate 252602, is hereby suspended beginning on May 11, 2016, and ending on October 1, 2017. During the suspension period, Mr. Cheely agrees not to be employed or to volunteer, in any capacity, in any school district in the State of South Carolina. If Mr. Cheely wishes to have his educator certificate reinstated at the end of the suspension period, he must meet all certification requirements and shall submit a written request to the SCDE's Office of Educator Services. Mr. Cheely shall be responsible for the payment of all applicable fees, including any reinstatement fees. The suspension of Mr. Cheely's educator certificate 252602 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

Christopher
Bryant
Cheely
252602

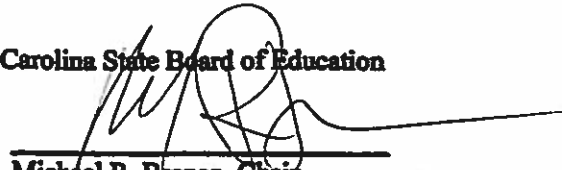
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AND IT IS SO ORDERED.

South Carolina State Board of Education

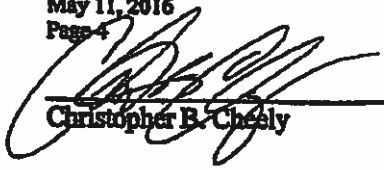
By:


Michael R. Brennan, Chair

Columbia, South Carolina
May 11, 2016

I, Christopher Bryant Cheely, S.C. Educator Certificate 252602, 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 agree that I will not serve as a volunteer, or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in South Carolina during the suspension period. I understand that the terms set forth in this Consent Agreement are not subject to reconsideration, collateral attack or judicial review; and I hereby freely, knowingly and voluntarily agree to the suspension of my educator certificate. I agree to the proposed Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on May 11, 2016.

Christopher Bryant Cheely, Certificate 252602
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Christopher B. Cheely

4/25/16

Date