

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the)
)
Disciplinary Action of the)
)
Educator Certificate of)
)
Ray Davis McCleod Jr.,)
)
Certificate 270189)

**CONSENT ORDER OF
PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 13, 2018. On November 1, 2017, the South Carolina Department of Education (SCDE) sent Ray Davis McCleod Jr., a notice letter by certified mail, return receipt, restricted delivery, and regular mail, regarding possible action against his educator certificate. After receiving the notice letter, Mr. McCleod contacted the SCDE through his attorney and advised he desired to waive his right to a hearing and pursue an alternative resolution in this matter. After considering the evidence presented, the State Board voted to accept the Consent Order of Public Reprimand.

FINDINGS OF FACT

Mr. McCleod holds a valid South Carolina professional educator certificate and has over thirteen years of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. McCleod had been employed by Rock Hill School District Three of York County (District) as a Special Education Resource Teacher (Teacher) at Sullivan Middle School (School). Mr. McCleod resigned from the District, effective January 4, 2017, following allegations of unprofessional conduct towards a police officer who arrested Mr. McCleod for reckless driving.

The District was notified that Mr. McCleod had been arrested for reckless driving via the local newspaper. The District met with Mr. McCleod on September 6, and 14, 2016, regarding their concerns about his belligerent conduct towards the arresting officer. A letter dated September 19, 2016, commemorated these meetings with Mr. McCleod. The letter reiterated the District's concerns with Mr. McCleod's conduct and performance addressed the previous spring and summer. One incident that occurred in the spring of

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2016, involved Mr. McCleod's unprofessional interaction with a school resource officer in connection with a fight between students. Ultimately, these previous concerns resulted in Mr. McCleod's reassignment to Sullivan Middle School so that he could get a fresh start, according to the District.

Mr. McCleod contends that he was not officially reprimanded regarding the incident with the SRO. However, Mr. McCleod was ultimately assigned to a different school with instructions to review and follow all district policies at all times, exercise good judgment in the performance of his duties and not engage in physical or verbal altercations with students, parents or staff. At that time, Mr. McCleod was also placed on an improvement plan.

Although Mr. McCleod disputes the allegations of the District that he was belligerent towards the arresting officer, he ultimately submitted his resignation in lieu of termination following his arrest. The District reported the matter to the SCDE on November 18, 2016.

Mr. McCleod has agreed to waive his 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, (3) Mr. McCleod agrees to undertake anger management training approved by the SCDE, and (4) 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. 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 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Regs. 43-58 (2011). The State Board finds that the evidence presented by the District would not support a conclusion that just cause exists to

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suspend or revoke the educator certificate of Ray Davis McCleod, Jr.; however, the evidence that would be presented would support a conclusion that Mr. McCleod engaged in unprofessional conduct as a result of his conduct toward the SRO and later, the arresting officer. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Mr. McCleod by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to Ray Davis McCleod, Jr., certificate 270189. 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.

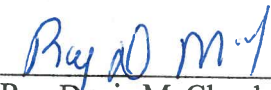
AND IT IS SO ORDERED.

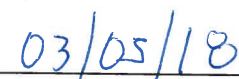
South Carolina State Board of Education


Sharon Wall Ed.D., Chair

Columbia, South Carolina
March 13, 2018

I, Ray Davis McCleod Jr., S.C. Educator Certificate 270189, 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 three pages, and I freely and voluntarily agree to the terms set forth therein. I understand that this Order will be presented as signed to the South Carolina State Board of Education on understand that this Order will be presented to the State Board for approval on Tuesday, March 13, 2018.


Ray Davis McCleod Jr.,


Date