

**STATE OF SOUTH CAROLINA
BEFORE THE STATE BOARD OF EDUCATION**

In the Matter of	)	
	)	
Mykal Rashaad Moore	)	ORDER OF SUSPENSION
	)	
Educator Certificate #280228	)	(UNPROFESSIONAL CONDUCT)
_____	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 13, 2018. The South Carolina Department of Education (SCDE) notified Mykal Rashaad Moore (Moore) of his right to a hearing regarding the possible suspension of his South Carolina Educator Certificate via certified letter dated April 25, 2018. Moore timely requested a hearing and such was held on September 6, 2018. The hearing concerned Moore's alleged unprofessional behavior in physically shaking a student for failure to follow classroom instructions.

After considering the evidence presented, the State Board voted to suspend Moore's educator certificate for a period of two (2) calendar years commencing on November 13, 2018, and ending on November 12, 2020.

FINDINGS OF FACT

This is a matter involving unprofessional conduct in which Moore was observed shaking an eight (8) year old male student. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004) and S.C. Code Ann § 59-25-160 (2004).

Moore holds a valid South Carolina Educator Certificate and was employed by the District as a third grade teacher. On February 15, 2018, Moore was observed by a fellow teacher shaking an eight (8) year old male student, such that the student's head rocked back and forth. This

student had been diagnosed with ADHD and was on an Individualized Education Plan, all of which Moore was aware of. Moore was escorted to the principal's office shortly thereafter and was requested to write a statement explaining what happened. In that statement, Moore stated that he had redirected the student over ten times with regard to a class assignment. He then admitted to "jerking [the student's] right arm under his armpit to lift him up" and guiding him to the Promethean board to have him read the directions he was to follow. After correcting the student again, Moore states that he was "livid and fed up". Moore admits to then shaking the student, as reported by the teacher.

Prior to this incident, Moore had been placed on an improvement plan for the following incidents:

- (a) failure to attend scheduled meetings;
- (b) failure to properly receipt funds from students (unrelated to any loss of funds);
- (c) improperly leaving a testing room when functioning as test administrator; and
- (d) allowing students to play in the mud.

In addition, Moore had been issued a written reprimand for the following two actions arising from a student field trip:

- (a) Leaving a student's medication at the destination of the field trip; and
- (b) Sleeping during the field trip.

Moore is currently teaching sixth grade Language Arts at Legacy Early College Middle School (Legacy), a charter school in Greenville, South Carolina. Legacy has provided Moore with instructional coaches and mentors and has closely supervised him. To date, he has displayed no inappropriate or unprofessional conduct.

After considering the evidence presented at the September 6, 2018 hearing, the State Board finds that the evidence presented demonstrates that Moore acted in an unprofessional manner. As such, a suspension of his Educator Certificate is warranted. The Board finds that just cause exists to suspend Moore's Educator Certificate #280228 for a period of two (2) calendar years, commencing on November 13, 2018, and ending on November 12, 2020.

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). "Just cause" includes, *inter alia*, "incompetence" and "unprofessional conduct." S.C. Code Ann. § 59-25-160 (4) (2004).

The State Board finds that the evidence presented demonstrates that Moore engaged in unprofessional conduct in shaking an eight (8) year old male student. Accordingly, the evidence presented supports the State Board's determination that just cause exists to suspend the Educator Certificate of Moore, Educator Certificate #280228, for a period of two (2) calendar years, commencing on November 13, 2018, and ending on November 12, 2020. If Moore wishes to have his Educator Certificate reinstated at the end of the suspension period, he shall make a written request to the SCDE's Office of Educator Certification, Recruitment, and Preparation, and shall meet all certification requirements in effect at the time he requests reinstatement. Moore shall also pay all applicable reinstatement fees. The suspension of Moore's Educator Certificate #280228 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty (30) days from the date of this order with the reasons stated as "unprofessional conduct".

AND IT IS SO ORDERED.

(signature page attached)

Moore, Mykal Rashaad
Order of Suspension
November 13, 2018
Page 4

South Carolina State Board of Education

By: Sharon Wall
Dr. Sharon Wall, Chair

Columbia, South Carolina
November 13, 2018