

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Meghan Catherine Clarke
Certificate 277249

ORDER OF DISMISSAL

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on January 14, 2020. The South Carolina Department of Education (SCDE) notified Meghan Catherine Clarke of potential disciplinary action against her teaching certificate and informed her of her right to a hearing via a certified letter dated April 30, 2019. Ms. Clarke timely requested a hearing by and through her counsel, and such was held on October 30, 2019. On December 2, 2019, the SCDE and Ms. Clarke's counsel received the hearing officer's report and recommendation. The hearing officer recommended that the action against Ms. Clarke be dismissed. After considering the evidence, the State Board voted to dismiss this matter.

FINDINGS OF FACT

The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004). Ms. Clarke holds a valid South Carolina professional educator certificate and has over three years of experience. She has no prior record of disciplinary action with the State Board. It is alleged that on September 20, 2018, the District placed Ms. Clarke on administrative leave while they investigated allegations of inappropriate videos shown in her class. The District investigated the incident and returned Ms. Clarke to her classroom on September 28, 2018. On October 1, 2018, the SCDE learned of the incident after a news article was published concerning the allegations. The specific video that raised concern with parents was an explicit rap video that offered two opposing views on race in America. The video contained at least forty-eight instances of inappropriate language, including seventeen instances of some variation of a racial slur. Ms. Clarke previously sent home a parental permission form allowing the students to watch videos in class, but there was no notification of the specific videos to be shown.

On October 30, 2019, the hearing officer considered testimony and evidence in the matter. The hearing officer found that Ms. Clarke exhibited a lapse in judgment but that the matter was appropriately handled at the District level. The hearing officer emphasized the video was chosen as part of a lesson on race; however, the hearing officer noted there were many more appropriate materials Ms. Clarke could have chosen to introduce the topic of race to her students. The hearing officer took into account that this was the first year Ms. Clarke had taught this particular class and that the District had failed to ensure that its policies had been made available to reference prior to this incident. The hearing officer noted Ms. Clarke violated at least four District policies; however, Ms. Clarke was not aware of the policies and procedures. Further, the District did not seem aware of the applicable policies and procedures nor did they choose to enforce the policies at the District level. The hearing officer concluded Ms. Clarke's actions did not rise to the level of unprofessional conduct and recommended the matter be dismissed and no action taken against her educator certificate.

After considering the evidence presented at the hearing, the hearing officer's recommendation and report, the State Board finds that this matter should be dismissed.

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 (2018); The State Board may, for just cause, issue a public reprimand. S.C. Code Ann. Regs. 43-58 (2018). Just cause includes unprofessional conduct. S.C. Code Ann. §59-25-160. The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend or revoke the professional educator certificate of Meghan Catherine Clarke in this matter.

Now, therefore, it is hereby ordered that the matter of Meghan Catherine Clarke, certificate 277249, be dismissed. The dismissal of the matter of Meghan Catherine Clarke, certificate 277249, shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

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AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Michael Brennan

Michael Brennan, Chair

Columbia, South Carolina
January 14, 2020