

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
James E. McTeer
Certificate 244092

ORDER OF SUMMARY SUSPENSION

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on July 28, 2020. In accordance with S.C. Code Ann. § 1-23-370(c) (2017), § 59-5-10 (2017), and State Board Rule of Governance BBABA, the South Carolina Department of Education (SCDE) requested that the Chair of the State Board summarily suspend the educator certificate of James E. McTeer, educator certificate James E. McTeer, as a result of his arrest for third degree arson, S.C. Code Ann. § 16-11-110(C) (2018), and use of a destructive device, S.C. Code Ann. § 16-23-720(B) (2018).

The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. McTeer may pose a threat to the health, safety, and welfare of students, who may be under his instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. McTeer's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. McTeer of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. McTeer holds a valid South Carolina professional educator certificate and has ten years of educator experience.

On June 27, 2020, the South Carolina Department of Public Safety's Bureau of Protective Services discovered an incendiary device near a statute at the South Carolina State House. The incident was reported to the South Carolina Law Enforcement Division's Bomb Unit, who determined the substance within the device to be a highly flammable pyrotechnic composition that may be used in incendiary bombs. Mr. McTeer was

subsequently arrested for third degree arson, S.C. Code Ann. § 16-11-110(C) (2018), and use of a destructive device, S.C. Code Ann. § 16-23-720(B) (2018).

The SCDE has reason to believe that, due to the serious nature of this allegation of misconduct, Mr. McTeer may pose a threat to the health, safety, and welfare of students who may be under his instruction, and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Mr. McTeer's educator certificate shall be summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Mr. McTeer of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2017); 24 S.C. Code Regs. 43-58 (2017). In accordance with S.C. Code Ann. § 1-23-370(c) (2017), "If the agency finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." Pursuant to S.C. Code Ann. § 59-5-10 (2017) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Mr. McTeer's unprofessional conduct, crime against the law of this State or the United States, and evident unfitness for the position for which employed, due to his arrest for third degree arson and use of a destructive device, there is reason to believe Mr. McTeer may pose a threat to the health, safety, and welfare of students and emergency action is required.

Accordingly, the educator certificate of James E. McTeer, educator certificate 244092, is summarily suspended until a due process hearing is held and/or this matter is

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otherwise resolved. The SCDE is directed to serve notice on Mr. McTeer of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Michael Brennan
Michael R. Brennan, Chair

Columbia, South Carolina
July 28, 2020