

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the)
)
Disciplinary Action of the)
)
Educator Certificate of)
)
James M. Bateman)
)
Certificate 905766)

**CONSENT ORDER OF
PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on January 8, 2019. On December 20, 2018, the South Carolina Department of Education (SCDE) sent James M. Bateman 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. Bateman contacted the SCDE and advised that 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. Bateman holds a valid South Carolina professional educator certificate and has over one year of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Bateman was employed by the Berkeley County School District (District) as a teacher at Cane Bay High School (School). Mr. Bateman resigned from the District, effective October 8, 2018, following allegations of unprofessional conduct.

Prior to teaching with the District, Mr. Bateman worked with the Summerville Police Department (Department) as the Lieutenant over the Department's Cadet Post. During this time, Mr. Bateman used funds from the Department's Cadet Post bank account when the cadets attended various in-state competitions and trainings. After past issues with the account's card being frozen by the credit card security company, Mr. Bateman began to withdraw the funds from the Department's account and place them in his personal account before the group left for a trip. Whatever funds were not used during the trip would be placed back into the Department's account. However, in a review of the accounts, it was

James
M.
Bateman
905766

AMB
Initial

12-20-18
Date

discovered there were two occasions where it could not be proven Mr. Bateman replaced the appropriate funds in the Department's account. Because of the missing funds, Mr. Bateman was arrested for and pled 'no contest' to the charge of breach of trust with fraudulent intent, less than two thousand dollars.

Mr. Bateman 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, and (3) 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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2017); 24 S.C. Code Regs. 43-58 (2017). The State Board finds that the evidence presented by the District would not support a conclusion that just cause exists to suspend or revoke the educator certificate of James M. Bateman; however, the evidence that would be presented would support a conclusion that Mr. Bateman engaged in unprofessional conduct as a result of his criminal charge and conviction. The State Board further finds that just cause exists for the issuance of a Public Reprimand to Mr. Bateman by the State Board.

Now, therefore, it is ordered that the State Board hereby issues a Public Reprimand to James M. Bateman, certificate 905766. 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.

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AND IT IS SO ORDERED.

South Carolina State Board of Education


Del-Gratia Jones, Chair

Columbia, South Carolina
January 8, 2019

I, James M. Bateman, S.C. Educator Certificate 905766, 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 for approval on Tuesday, January 8, 2019. I understand this Consent Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter.


James M. Bateman

12-20-2018
Date