BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary	)	
	)	
Surrender of the Educator	)	**CONSENT ORDER OF PERMANENT VOLUNTARY SURRENDER**
	)	
Certificate of William Kenneth Heinrich	)	
	)	
Certificate 113538	)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 11, 2013. On April 25, 2013, the South Carolina Department of Education (SCDE) sent notice to Mr. William Kenneth Heinrich that the State Board would meet to make a determination regarding the possible suspension or revocation of his South Carolina educator certificate 113538 based on the statutory grounds of unprofessional conduct and evident unfitness for position for which employed, pursuant to S.C. Code § 59-25-160 (2004) and that he was entitled to a hearing. Mr. Heinrich received the notice and informed SCDE that he had retired from teaching and desired to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 113538, effective September 11, 2013.

William Kenneth Heinrich 113538

Initial Here

Date

FINDINGS OF FACT

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-150 (2004).

Mr. Heinrich holds a professional South Carolina educator certificate and has thirty five years of teaching experience. Mr. Heinrich was employed by the Greenville County School District (District) from 1976 until his resignation on October 18, 2012. The District had employed Mr. Heinrich as a fifth grade teacher at Lake Forest Elementary School.

On October 4, 2012, the District was informed of a parent complaint that Mr. Heinrich was sending inappropriate text and picture messages to his daughter who was a middle school student and a former student of Mr. Heinrich. On October 5, 2012, the District placed Mr. Heinrich on administrative leave. District personnel met with Mr. Heinrich on October 17, 2013. Mr. Heinrich resigned from the District, for personal reasons, on October 18, 2013. Mr. Heinrich has now retired from the teaching profession.

On April 25, 2013, the SCDE sent notice to Mr. Heinrich that the State Board would meet to make a determination regarding the possible suspension or revocation of his South Carolina educator certificate 113538 based on the statutory grounds of unprofessional conduct and evident unfitness for position for which employed, pursuant to S.C. Code § 59-25-160 (2004) and that he was entitled to a hearing. Mr. Heinrich received the notice and informed SCDE that he had retired from teaching and desired to enter into a Consent Order of Permanent Voluntary Surrender of his educator certificate 113538, effective September 11, 2013.

Mr. Heinrich agrees to the permanent surrender of his South Carolina educator certificate 113538 subject to the following conditions: (1) his educator certificate will become permanently invalid and permanently revoked immediately upon the approval by the State Board of the Consent Order of Voluntary Surrender; (2) he has waived his right to a hearing and understands that the terms set forth are not subject to reconsideration, collateral attack or judicial review; and (3) he understands that the permanent surrender of his educator certificate will be reported to all school districts in South Carolina and the NASDTEC Clearinghouse as a permanent voluntary surrender and permanent revocation.

William Kenneth Heinrich 113538
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8/22/13
Date

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004); S.C. Code Ann. § 59-25-160 (2004). Just cause includes "unprofessional conduct and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs 43-58 (2011). The State Board finds that the evidence presented by the SCDE demonstrates that Mr. Heinrich engaged in unprofessional conduct and demonstrated evident unfitness for position for which employed as a result of his sending inappropriate text and picture messages to a former student. The evidence presented supports the State Board's decision to accept the permanent voluntary surrender of educator certificate 113538, issued under the name of William Kenneth Heinrich, and to permanently revoke and render permanently invalid Mr. Heinrich's educator certificate effective September 11, 2013.

Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of William Kenneth Heinrich, certificate 113538, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and revocation of the educator certificate of William Kenneth Heinrich, certificate 113538 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: David W. Blackmon
David W. Blackmon, Chair

Columbia, South Carolina
September 11, 2013

I, William Kenneth Heinrich, S.C. Educator Certificate 113538, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of education 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 Agreement are not subject to reconsideration, collateral attack or judicial review; and I hereby freely, knowingly and voluntarily permanently surrender my educator certificate to the South Carolina State Board of Education. I hereby acknowledge that this permanent surrender shall have the same effect as a permanent revocation of my certificate. I knowingly forfeit and relinquish all right, title and privilege of holding myself out as and being able to practice as an educator in the public schools in the State of South Carolina. I agree that I will not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher, band teacher, coach, or in any other position in a public school in the State of South Carolina. I agree to the proposed Consent Order of Permanent Voluntary Surrender, consisting of three pages, and understand that this Order will be presented to the South Carolina State Board of Education on September 11, 2013.

William Kenneth Heinrich

Date 8/22/13