

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)
Suspension of the Educator Certificate of)
Kinsley M. Wentzky,)
Certificate 202486)
_____)

**ORDER OF
SUMMARY SUSPENSION**

SUMMARY OF THE CASE

The Chair of the South Carolina State Board of Education (State Board) considered this matter on January 9, 2013. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), § 59-5-10 (2004), 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 Kinsley M. Wentzky, certificate 202486, as a result of her being arrested on or about January 3, 2013, in the Municipality of Columbia, South Carolina, and in the Municipality of Forest Acres, South Carolina, and being charged with Sexual Battery With A Student, S.C. Code Ann. § 16-3-755(B) (Supp. 2012). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Wentzky may pose a threat to the health, safety and welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Wentzky'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 Ms. Wentzky of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Wentzky holds a professional South Carolina educator certificate and has nine years of teaching experience. Ms. Wentzky is employed by the Richland County School District One (District) as an honors English teacher at Dreher High School (School). Ms. Wentzky is currently on suspension, with pay.

Ms. Wentzky was arrested on or about January 3, 2013, in the Municipality of Columbia, South Carolina, and in the Municipality of Forest Acres, South Carolina, and charged with Sexual Battery With A Student, S.C. Code Ann. § 16-3-755(B) (Supp. 2012). It is alleged that Ms. Wentzky engaged in sexual battery with a victim(s). The SCDE has reason to believe that, due to the serious nature of these allegations of misconduct, Ms. Wentzky may pose a threat to the health, safety and

welfare of students that may be under her instruction and that emergency action is required. After considering the evidence presented by the SCDE, the Chair of the State Board finds that Ms. Wentzky'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 Ms. Wentzky of the summary suspension, as well as the possible suspension or revocation of her 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 (2004). Just cause includes unprofessional conduct, immorality, any conduct involving moral turpitude, crime against the law of this State, and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2011). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "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 (2004) and State Board Rule of Governance BBABA, the Chair of the State Board finds that as a result of the allegations of Ms. Wentzky's unprofessional conduct, immorality, conduct involving moral turpitude, evident unfitness for position for which employed and her arrest for Sexual Battery With A Student, S.C. Code Ann. § 16-3-755(B) (Supp. 2012), there is reason to believe that Ms. Wentzky may pose a threat to the health, safety and welfare of students and that emergency action is required. Accordingly, the educator certificate of Kinsley M. Wentzky, certificate 202486, is summarily suspended until a due process hearing is held and/or this matter is otherwise resolved. The SCDE is directed to serve notice on Ms. Wentzky of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: David W. Blackmon

Dr. David Blackmon, Chair