

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Voluntary)
Surrender of the Educator)
Certificate of Heyward L. Hickman,)
Certificate 162655)

**CONSENT ORDER OF
PERMANENT VOLUNTARY
SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 8, 2013. On February 26, 2013, the South Carolina Department of Education (SCDE) sent notice to Heyward L. Hickman regarding the possible suspension or revocation of his South Carolina educator certificate 162655 pursuant to S.C. Code Ann. § 59-25-150 (2004) as a result of Mr. Hickman's guilty plea to two counts of Assault and Battery of a High and Aggravated Nature, on December 19, 2012, in the Court of General Sessions, Lexington, County, South Carolina. On March 7, 2013, Mr. Hickman was personally served with the notice as evidenced by an Affidavit of Proof of Service. On March 15, 2013, counsel for Mr. Hickman sent a written request for a hearing. Prior to setting the hearing, counsel for Mr. Hickman informed the SCDE that Mr. Hickman has agreed to waive his right to a hearing and had agreed to enter into this Consent Order of Permanent Voluntary Surrender. After considering the evidence presented, the State Board voted to accept the permanent voluntary surrender of Mr. Hickman's educator certificate 162655, effective May 8, 2013..

Heyward L.
Hickman
162655

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4-30-13
Date

FINDINGS OF FACT

Mr. Hickman holds a professional educator certificate and has over nine years of teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Hickman was previously employed by SCDE as an Education Associate in the Office of Academic Standards from June 2, 2000, until his resignation effective January 28, 2008. On October 10, 2007, Mr. Hickman was arrested in Lexington County and charged with four counts of criminal sexual conduct with a child under the age of eleven and two counts of second-degree criminal sexual conduct with a child under the age of sixteen.

On October 10, 2007, the State Board summarily suspended Mr. Hickman's educator certificate and the SCDE suspended Mr. Hickman without pay. The SCDE notified Mr. Hickman of the summary suspension of his educator certificate and the suspension of his employment. Counsel for Mr. Hickman requested a private hearing with respect to Mr. Hickman's educator certificate following the resolution of the criminal charges.

On December 19, 2012, Mr. Hickman plead to two counts of the misdemeanor offense of Assault and Battery of a High and Aggravated Nature, in the Court of General Sessions, Lexington, County, South Carolina. The Court of General Sessions sentenced Mr. Hickman to prison for a consecutive term of five years and ordered that Mr. Hickman must register as a sex offender. Mr. Hickman was given credit for time served. All other charges against Mr. Hickman were dismissed.

On February 26, 2013, the SCDE sent notice to Mr. Hickman regarding the possible suspension or revocation of his South Carolina educator certificate 162655 resulting from his guilty plea and his right to a hearing. On March 7, 2013, Mr. Hickman received the notice by personal service as evidenced by a proof of service from Ridgeland Correctional Institution. On March 19, 2013, counsel for Mr. Hickman contacted the SCDE and requested a hearing. Prior to setting a hearing date, counsel for Mr. Hickman informed the SCDE that Mr. Hickman has agreed to waive his right to a hearing and had agreed to enter into this Consent Order of Permanent Voluntary Surrender

Mr. Hickman agrees to the permanent surrender of his South Carolina educator certificate 162655 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 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 with the reason stated as "unprofessional conduct and crime against the law of this state."

Heyward L.
Hickman.
162655

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CONCLUSIONS OF LAW

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"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 crimes against the law of this state." 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. Hickman engaged in unprofessional conduct and committed a crime against the law of this state as a result of his guilty plea to two counts of Assault and Battery of a High and Aggravated Nature. The evidence presented supports the State Board's decision to accept the permanent voluntary surrender of educator certificate 162655, issued under the name of Heyward L. Hickman, and to permanently revoke and render permanently invalid Mr. Hickman's educator certificate 162655, effective May 8, 2013.

Now, therefore, it is ordered that the Consent Order of Permanent Voluntary Surrender is accepted and the educator certificate of Heyward L. Hickman, certificate 162655, is hereby declared permanently invalid and permanently revoked. The permanent voluntary surrender and revocation of the educator certificate of Heyward L. Hickman, certificate 162655 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order with the reasons stated as "unprofessional conduct and crime against the law of this state."

AND IT IS SO ORDERED.

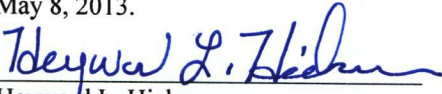
South Carolina State Board of Education

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

Columbia, South Carolina
May 8, 2013

I, Heyward L. Hickman, S.C. Educator Certificate 162655, 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; 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 four pages, and understand that this Order will be presented to the South Carolina State Board of Education on May 8, 2013.


Heyward L. Hickman

4-30-13
Date