

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of Revocation)
)
of the Educator Certificate of)
)
Kenneth H. McWilliams,)
)
Certificate 247601)
_____)

ORDER OF REVOCATION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 13, 2018. On or about April 18, 2017, Kenneth H. McWilliams was arrested in Marion County, South Carolina, for Criminal Solicitation of a Minor, pursuant to S.C. Code Ann. §16-15-342 (2016). On April 21, 2017, the Chair of the State Board summarily suspended Mr. McWilliams' educator certificate. On April 21, 2016, and August 17, 2017, the South Carolina Department of Education (SCDE) sent the summary suspension order and a notice letter to Mr. McWilliams regarding the possible suspension or revocation of his South Carolina Educator Certificate. On August 21, 2017, the notice was delivered, as evidenced by the postal receipt bearing the signature of Mr. McWilliams' agent. Mr. McWilliams was sent a final notice on October 3, 2018. The final notice was delivered to Mr. McWilliams' address on October 6, 2018, as evidenced by the United States Postal tracking. Under the South Carolina Rules of Civil Procedure 5(b), Mr. McWilliams has been given fair notice of constitutional due process. Mr. McWilliams has not contacted the SCDE to request a hearing and is now in default. After considering the evidence presented concerning Mr. McWilliams' unprofessional conduct, the State Board voted to revoke Mr. McWilliams' educator certificate 247601, effective November 13, 2018.

FINDINGS OF FACT

Mr. McWilliams received his South Carolina educator certificate in 2009. He has over five years of experience and was employed with Marion County School District (District). Mr. McWilliams resigned from the District after allegations that he was involved in an inappropriate relationship with a fourteen year old student.

Following Mr. McWilliams' arrest on or about April 18, 2017 in Marion County, South Carolina, on the charge of Criminal Solicitation of a Minor, pursuant to S.C. Code Ann. §16-15-342 (2016), the SCDE requested that the Chair of the State Board summarily suspend Mr. McWilliams' educator certificate. On April 21, 2017, the Chair of the State Board summarily

suspended Mr. McWilliams' educator certificate. The SCDE sent the summary suspension order and a notice letter to Mr. McWilliams regarding the possible suspension or revocation of his South Carolina educator certificate. The notice was delivered and signed for by Mr. McWilliams' agent. Mr. McWilliams did not request a hearing and is in default.

The SCDE contacted law enforcement for evidence in this case. This evidence was presented to the State Board. Mr. McWilliams did not request a hearing and did not submit any evidence to the State Board. Mr. McWilliams' criminal charge is currently a pending matter in criminal court. Based on the evidence presented, the State Board finds that Mr. McWilliams engaged in unprofessional conduct, conduct involving moral turpitude, immorality, and demonstrated evident unfitness for the position for which employed. After considering the evidence presented, the State Board voted to revoke Mr. McWilliams' educator certificate 247601, effective November 13, 2018.

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 (2017); S.C. Code Ann. § 59-25-160 (2017). Just cause includes unprofessional conduct, crime against the law of this state, and dishonesty. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the evidence presented demonstrates that Mr. McWilliams engaged in unprofessional conduct, conduct involving moral turpitude, immorality, and demonstrated evident unfitness for the position for which employed, as a result of his inappropriate communications with a student.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to revoke educator certificate 247601 issued in the name of Kenneth H. McWilliams. The revocation of Mr. McWilliams' educator certificate 247601 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: Sharon Wall
Sharon Wall, Ed.D., Chair