

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JAN 09 2026

SC Court of Appeals

Appeal from the South Carolina Administrative Law Court
The Honorable Robert L. Reibold Administrative Law Judge

Appellate Case No: 2025-000839

Austin Bischoff,

Appellant,

vs.

South Carolina Department of Education

Respondent.

SUPPLEMENTAL RECORD

V. Henry Gunter, Jr.
Deputy General Counsel
South Carolina Department of Education
1429 Senate Street, Suite 1015
Columbia, SC 29201
(803) 734-8105
Attorney For Respondent

Austin Bischoff
6013 Tyne Lane
Grovetown, GA 30813
(843) 422-3116
abischoff@radford.edu
pro se Appellant

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**STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION**

September 24, 2024

Montrio Belton
P.O. Box 566
Rock Hill, SC 29731

Re: Austin Bischoff, S.C. Educator Certificate 293493

Dear Mr. Belton:

This letter is in response to the Notice of Motion and Motion to Reconsider received by the South Carolina Department of Education (SCDE) on September 16, 2024.

The motion was reviewed by the SCDE's Office of General Counsel (OGC). After reviewing the SCDE's own records, it was found that the November 29, 2023, Notice and the July 31, 2024, Final Notice were sent to Mr. Bischoff's proper address in Grovetown, Georgia. Copies of both notices are enclosed for your records.

It was further noted that although Mr. Bischoff states he changed his address in the Educator Portal prior to December 2, 2023, the system data shows that the address was not updated until April 22, 2024. The SCDE was able to obtain the correct address using a public look-up software for legal compliance.

Due to the inconsistencies between the information provided in the motion and what is in the SCDE's record, the OGC has deemed it unnecessary to present the matter to the State Board of Education. The final order issued on September 3, 2024, should be considered the agency's final action in this matter. As noted in the motion, the matter is appealable to the SC Administrative Law Court.

If you have questions, you may contact me directly at hhadden@ed.sc.gov.

Sincerely,

Holly Hadden
Assistant General Counsel

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
428 WHOLESALE LANE · WEST COLUMBIA, SC 29172
PHONE: 803-734-8783 · FAX 803-734-4384 · ED.SC.GOV



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

**Via Regular and Certified Mail – Return Receipt Requested – Restricted Delivery
(7021 1970 0001 2723 2079)**

November 29, 2023

Mr. Austin Bischoff
6013 Tyne Lane
Grovetown, GA 30813

Re: S.C. Educator Certificate 293493

Dear Mr. Bischoff:

This letter is to notify you that the State Board of Education (State Board) will meet to make a determination regarding possible disciplinary action of your South Carolina educator certificate based on the provisions of S.C. Code Ann. § 59-25-160 (2020). The State Board will review allegations of unprofessional conduct due to falsification of special education documentation.

Under state law, you are entitled to a hearing in this matter. If you wish to request a hearing, your request must be in writing, and addressed to Ellen E. Weaver, State Superintendent of Education, 1429 Senate Street, Suite 1015, Columbia, South Carolina 29201. You may request a public or private hearing. At the hearing, you may present any testimony under oath or other evidence that may be pertinent, and you may be represented by legal counsel. If you fail to make a written request for a hearing within fifteen days after you receive this notice, you will waive your right to a hearing. In the event that you waive your right to a hearing, the State Board may take action to suspend or revoke your certificate based on the information presented by the State Department of Education (SCDE).

The State Board of Education's Procedures for Educator Certification Hearings can be found on the SCDE website at <https://ed.sc.gov/state-board/state-board-of-education/about-state-board/rules-of-governance/bcaf-a20/>. If you do not have access to a computer, please contact our office and we will mail you a copy of the State Board of Education's Procedures for Educator Certification Hearings.

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
RUTLEDGE BUILDING · 1429 SENATE STREET · COLUMBIA, SC 29201
PHONE: 803-734-8500 · FAX: 803-734-3389 · ED.SC.GOV

Austin Bischoff
November 29, 2023
Page 2

Should you wish to discuss an alternate resolution to this matter in lieu of a hearing, you may contact me directly at 803-734-1807.

Sincerely,



Holly Hadden
Assistant General Counsel
HH/ck

cc: Ellen E. Weaver, State Superintendent of Education
Crystal F. Stapleton, Ed.D., Chair, State Board of Education
Mary Hipp, Director, Office of Educator Services, SCDE
Becca Burg, Coordinator, Office of Educator Services, SCDE
King Laurence, Superintendent, Aiken County Public Schools
Jennifer Hart, Chief Officer of Human Resources and Administration, Aiken County
Public Schools



**STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION**

July 31, 2024

Mr. Austin Bischoff
6013 Tyne Lane
Grovetown, GA 30813

Re: S.C. Educator Certificate 293493

Dear Mr. Bischoff:

This letter is in follow up to the other certified mail letter we have tried to bring to your attention, in an effort to make you aware of your rights and afford you due process regarding the possible suspension of your South Carolina educator certificate based on the provisions of S.C. Code Ann. § 59-25-160 (2020). The State Board will review allegations of falsification of special education documentation with the Aiken County Public School District.

You have been notified that, under state law, you are entitled to a hearing in this matter and the requirements of requesting the same if you so desire. Under the South Carolina Rules of Civil Procedure 5(b), you have been given fair notice of constitutional due process. You have failed to make a written request for a hearing, and your failure to accept the certified mail and/or respond to the notification sent to you by U.S. Regular Mail is considered a waiver of your right to a hearing. The State Board could take action to suspend your certificate based on the information presented by the State Department of Education (SCDE).

The State Board will consider this matter on August 13, 2024, at approximately 10:00am, or as soon thereafter as is feasible. If you have questions, you may contact me directly at 803-734-1807.

Sincerely,

Holly Madden
Assistant General Counsel
HH/ck

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
428 WHOLESALE LANE · WEST COLUMBIA, SC 29172
PHONE: 803-734-8783 · FAX 803-734-4384 · ED.SC.GOV

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

)	NOTICE OF MOTION AND MOTION TO
In the Matter of)	RECONSIDER
)	
Austin Bernard Bischoff)	
Educator Certificate: 293493)	
)	
Respondent)	
_____)	

By and through his undersigned attorney, Bernard Austin Bischoff, motions the State Board of Education to reconsider its Order dated September 3, 2024, suspending his Educator Certificate for two (2) years commencing on September 3, 2024, and ending on September 2, 2026.

Educator asserts that he did not receive Notice of this action and a proper opportunity to be heard. Educator asserts that he changed his address in the Educator Portal prior to December 2, 2023. The initial notice of the action was sent to 1103 Churchill Circle, Aiken, SC 29803 on December 2, 2023. Educator claims he changed his official address in the portal to 6013 Pyne Lane, Grovetown, Ga 30813 before December 2, 2023. The final notice of this action was sent on July 31, 2024 to the same Aiken address, which is not the official address educator had listed in the educator portal.

Based on the allegations outlined above, Educator motions the SC State Board of Education to rescind its September 2, 2026, Order and allow this educator to have a full merits hearing on the underlying issues.

Please note that Educator is required to file any appeal before the Administrative Law Court on/before October 3, 2024. To this end, the Educator kindly requests a response to this motion in time to prepare and file a motion in the ALC, if necessary.

Respectfully Submitted,

Ut Belton

Montrio M. Belton
Law Offices of Montrio Belton,
PO Box 566
Rock Hill, SC 29731
(803) 324-4529 – Office
Montrio@montriobelton.com

Columbia, South Carolina
September 13, 2024

Licensure Cases
Before the State Board of Education Educator Licensure Committee
September 3, 2024

Teacher's Name: Austin Bischoff

Certificate Number: 293493

Charge: Unprofessional Conduct

Recommended Action: Order of Suspension

Education Summary: Mr. Bischoff earned his Bachelor's Degree from Withrop University in 2015 and his Masters from Virginia in 2016. He has over three years educator experience.

Exhibits

09-03-2024	Order of Suspension	Page 2
07-31-2024	SCDE Final Notice Letter	Page 5
11-29-2023	SCDE Notice Letter	Page 6
03-30-2022	SCDE Subpoena	Page 9
03-14-2022	District Reporting Documents and Exhibits	Page 10

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Austin Bischoff
Certificate 293493

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 3, 2024. On November 29, 2023, the South Carolina Department of Education (SCDE) sent Austin Bischoff a notice via regular and certified mail of his right to a hearing regarding the possible suspension of his South Carolina educator certificate. The SCDE has verified Mr. Bischoff's address, the certified letter was returned unclaimed, and the letter sent via regular mail has not been returned. On July 31, 2024, the SCDE informed Mr. Bischoff via regular mail that the State Board would meet on August 13, 2024, or as soon thereafter as is feasible, to consider action against his educator certification. Under the South Carolina Rules of Civil Procedure 5(b), Mr. Bischoff has been given fair notice of constitutional due process. He has not contacted the SCDE to request a hearing and is now in default.

After considering the evidence presented, the State Board voted to suspend Mr. Bischoff's educator certificate for a period of two years, commencing on September 3, 2024, and ending on September 2, 2026.

FINDINGS OF FACT

Mr. Bischoff holds a valid South Carolina professional educator certificate. He has over three years of educator experience and has no prior record of disciplinary action with the State Board. Mr. Bischoff was employed as a special education school psychologist with the Aiken County Public School District (District).

Mr. Bischoff was first placed on administrative leave on March 16, 2021, after there was a complaint of inappropriate language in front of a student. The student was building a robot as

a reward for completing school work. Mr. Bischoff observed the robot and referenced the toy's "boobs" and "ass." During the investigation into the incident, it was also discovered that the incident took place in Mr. Bischoff's office. He had previously been instructed not to meet with students alone in his office because the space did not have any windows. He was given a written warning and placed on a Performance Improvement Plan to address the issues.

On March 3, 2022, Mr. Bischoff met with supervisors after it was alleged that several student files were missing a significant number of documents. During this investigation, Mr. Bischoff was submitting his resignation to the District. He indicated he had experienced personal health issues and did not feel supported at the District. However, when questioned, he admitted he had not spoken with District staff that could offer assistance or otherwise make use of information and support available to him. He was allowed to resign from the District.

After considering the evidence presented, the State Board voted to accept the Order of Suspension of Mr. Bischoff's educator certificate 293493 for a period of two years, commencing on September 3, 2024, and ending on September 2, 2026.

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 (2020); S.C. Code Ann. § 59-25-160 (2020). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2020); 24 S.C. Code Regs. 43-58 (2021). The State Board finds that the evidence presented demonstrates that Mr. Bischoff engaged in unprofessional conduct by using inappropriate language in front of students and failing to maintain required student documentation. The State Board further finds that just cause exists for the suspension of Mr. Bischoff's educator certificate 293493 for a period of two years, commencing on September 3, 2024, and ending on September 2, 2026.

Now, therefore, it is hereby ordered that the educator certificate of Austin Bischoff educator certificate 293493, is suspended for a period of two years, commencing on September 3, 2024, and ending on September 2, 2026. If Mr. Bischoff wishes to have the certificate reinstated at the conclusion of the period of suspension, he shall make a written request to the

Austin Bischoff, Certificate 293493
Order of Suspension
September 3, 2024
Page 3

SCDE's Office of Educator Services. Mr. Bischoff shall be responsible for meeting all certification requirements in effect at the time he requests reinstatement and for the payment of any applicable reinstatement fees. The suspension of Mr. Bischoff's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days of the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: _____
David C. O'Shields, Chair

Columbia, South Carolina
September 3, 2024



**STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION**

July 31, 2024

Mr. Austin Bischoff
6013 Tyne Lane
Grovetown, GA 30813

Re: S.C. Educator Certificate 293493

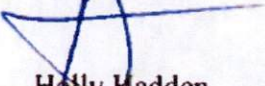
Dear Mr. Bischoff:

This letter is in follow up to the other certified mail letter we have tried to bring to your attention, in an effort to make you aware of your rights and afford you due process regarding the possible suspension of your South Carolina educator certificate based on the provisions of S.C. Code Ann. § 59-25-160 (2020). The State Board will review allegations of falsification of special education documentation with the Aiken County Public School District.

You have been notified that, under state law, you are entitled to a hearing in this matter and the requirements of requesting the same if you so desire. Under the South Carolina Rules of Civil Procedure 5(b), you have been given fair notice of constitutional due process. You have failed to make a written request for a hearing, and your failure to accept the certified mail and/or respond to the notification sent to you by U.S. Regular Mail is considered a waiver of your right to a hearing. The State Board could take action to suspend your certificate based on the information presented by the State Department of Education (SCDE).

The State Board will consider this matter on August 13, 2024, at approximately 10:00am, or as soon thereafter as is feasible. If you have questions, you may contact me directly at 803-734-1807.

Sincerely,


Holly Madden
Assistant General Counsel
HH/ck

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
428 WHOLESALE LANE · WEST COLUMBIA, SC 29172
PHONE: 803-734-8783 · FAX 803-734-4384 · ED.SC.GOV



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

Via Regular and Certified Mail – Return Receipt Requested – Restricted Delivery
(7021 1970 0001 2723 2079)

November 29, 2023

Mr. Austin Bischoff
6013 Tyne Lane
Grovetown, GA 30813

Re: S.C. Educator Certificate 293493

Dear Mr. Bischoff:

This letter is to notify you that the State Board of Education (State Board) will meet to make a determination regarding possible disciplinary action of your South Carolina educator certificate based on the provisions of S.C. Code Ann. § 59-25-160 (2020). The State Board will review allegations of unprofessional conduct due to falsification of special education documentation.

Under state law, you are entitled to a hearing in this matter. If you wish to request a hearing, your request must be in writing, and addressed to Ellen E. Weaver, State Superintendent of Education, 1429 Senate Street, Suite 1015, Columbia, South Carolina 29201. You may request a public or private hearing. At the hearing, you may present any testimony under oath or other evidence that may be pertinent, and you may be represented by legal counsel. If you fail to make a written request for a hearing within fifteen days after you receive this notice, you will waive your right to a hearing. In the event that you waive your right to a hearing, the State Board may take action to suspend or revoke your certificate based on the information presented by the State Department of Education (SCDE).

The State Board of Education's Procedures for Educator Certification Hearings can be found on the SCDE website at <https://ed.sc.gov/state-board/state-board-of-education/about-state-board/rules-of-governance/bcaf-a20/>. If you do not have access to a computer, please contact our office and we will mail you a copy of the State Board of Education's Procedures for Educator Certification Hearings.

ELLEN E. WEAVER · STATE SUPERINTENDENT OF EDUCATION
RUTLEDGE BUILDING · 1429 SENATE STREET · COLUMBIA, SC 29201
PHONE: 803-734-8500 · FAX: 803-734-3389 · ED.SC.GOV

Austin Bischoff
November 29, 2023
Page 2

Should you wish to discuss an alternate resolution to this matter in lieu of a hearing, you may contact me directly at 803-734-1807.

Sincerely,



Holly Hadden
Assistant General Counsel
HH/ck

cc: Ellen E. Weaver, State Superintendent of Education
Crystal F. Stapleton, Ed.D., Chair, State Board of Education
Mary Hipp, Director, Office of Educator Services, SCDE
Becca Burg, Coordinator, Office of Educator Services, SCDE
King Laurence, Superintendent, Aiken County Public Schools
Jennifer Hart, Chief Officer of Human Resources and Administration, Aiken County
Public Schools

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AIKEN, SC 29803

December 2, 2023, 4:35 pm

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STATE OF SOUTH CAROLINA)
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COUNTY OF RICHLAND)
)
In the Matter of)
)
Austin Bischoff)
Educator Certificate 293493)
)
Respondent)
_____)

**BEFORE THE SOUTH CAROLINA
STATE BOARD OF EDUCATION**

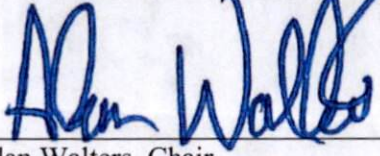
SUBPOENA

TO: Kathryn Long Mahoney, Esquire
Aiken County Public School District
1000 Brookhaven Drive
Aiken, South Carolina 29803

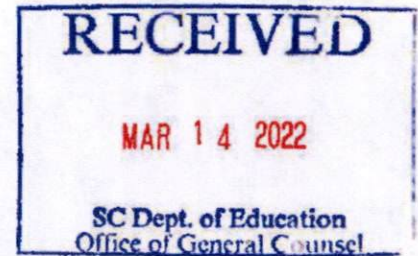
Pursuant to S.C. Code Ann. § 59-25-210 (2018), you are hereby required to deliver by courier, digital transmission or through the United States mail to Joel M. Griggs, Investigator, South Carolina Department of Education, 1429 Senate Street, Room 1015, Columbia, South Carolina, 29201, by Wednesday, April 13, 2022, the following items: the complete personnel file with initial employment application and any investigation file of Austin Bischoff to include, all investigative documents, personnel records, settlement agreements, all incident reports, photographs, witness statements, audio and/or video recordings at any location.

All investigations and proceedings of the South Carolina State Board of Education in this matter are confidential pursuant to S.C. Code Ann. Regs. 43-58.1 (2018).

South Carolina State Board of Education

By: 
Alan Walters, Chair

Columbia, South Carolina
March 30, 2022



1000 Brookhaven Drive • Aiken, South Carolina 29803

Ms. Molly Spearman
State Superintendent of Education
SC State Department of Education
1429 Senate Street
Columbia, SC 29201

Re: Austin Bischoff
Certificate No. 293493

Dear Ms. Spearman:

Please be advised that a professional employee of Aiken County School District, Austin Bischoff, certificate number 293493, resigned from his employment with the District, effective March 4, 2022. Because Mr. Bischoff's resignation followed an investigation into allegations of falsification of special education IEP documents and the absence of required documentation, I am reporting this matter pursuant to State Board Regulation R. 43-58.1.

If you have any questions or need further information regarding this matter, please contact Kathy Mahoney with Halligan Mahoney & Williams.

Sincerely yours,

King Laurence
Superintendent

c: Kathryn Long Mahoney, Esq.

March 3, 2022

Ms. Latoya Wiley,

Dear Latoya Wiley,

Effective immediately I resign from Aiken County Public Schools. The reasons for my resignation are as follows:

- I suffer from depression, ADHD, and other physical manifestations that I'm being treated for. Mental health supports and resources have not been made readily available within the school system until recent.

I continue to seek help for the impact my mental health had on this job and move forward toward a more positive work experience. I remain available to help transition information - please let me know next steps.

Sincerely,

Austin Bischoff

Austin Bischoff, Ed.S.
School Psychologist II
Abischoff@acpsd.net

Meeting
March 3, 2022
10:30 AM

Present:

LaToya Wiley, Director of Special Programs
Austin Biscoff, School Psychologist
Salvatore Minolfo, Ph.D., Director of Administration

Austin Biscoff met with LaToya Wiley and Salvatore Minolfo to deliver documents for student files. On Tuesday, March 1, 2022, it became apparent that significant number of documents in student files were missing. Mrs. Wiley and Dr. Minolfo met with Mr. Biscoff on Tuesday and Wednesday to direct him to bring all documentation and files to Mrs. Wiley as soon as possible.

During today's meeting, Mr. Biscoff expressed that he intended to submit his resignation and we discussed his reasons for requesting his release. He shared that he had indicated to Cassie Cagle and Phil Young his interview that he suffered from depression and ADHD. He acknowledged that he did not provide that information to Human Resources and at the time did not request any assistance. At a later time, he stated that he did express to Mr. Young that he was struggling at work with his depression and ADHD, but when asked what supports and strategies Mr. Young offered, he stated that he did not recall and it is possible that since he doesn't recall talking to Mr. Young. He also did not recall any specific strategies that were offered to address the impact of his depression on his work.

Mr. Biscoff stated that he did not feel that supports were provided to him to improve his quality of work and offset the impact of the depression and ADHD. He stated that he did not undergo the typical training provided for most employees (three-day onboarding), but he did state the following:

He was provided:

- The Employee Handbook each year;
- The Department of Special Programs E-Guide;
- The School Psychologist Handbook;
- Monthly school psychologist meetings;
- Access routinely to Mr. Young to ask questions, answer questions, and other concerns;
- In March 2021, placed on an improvement plan to address many of the areas of concerns identified with Mr. Biscoff (see plan);
 - Mr. Biscoff acknowledged that Mr. Young met with him on a routine basis to discuss some or all of the improvement plan strategies and goals;
 - Mr. Biscoff acknowledged that he did not express to Mr. Young how his depression and ADHD were impacting his ability to ensure all documents, tests, protocols, etc were in the student folders and organized per instructions.

Mr. Biscoff acknowledged that he did not advocate for himself when it concerned the impact of his depression and ADHD. He assumed responsibility for not correcting the goal areas as noted in his plan that continued to plague his performance.

Mr. Biscoff did note that he has had suicidal ideation in the past and last night he had a thought about killing himself. He said that he had a support system at home that he has honest conversations with them. He stated he did not have a plan for hurting himself and had not considered the suicidal ideation seriously.

Dr. Minolfo checked with Sharon Worley, Coordinator for Counseling Services, concerning supports for Mr. Biscoff. It was shared with Mr. Biscoff that he will have access to the Employee Assistance Program (EAP) through April 1, 2022 and he could pursue support through the SC Hopes program. Mr. Biscoff

agreed to pursue opportunities for assistance. He also stated that he is not currently having suicidal ideation, his wife does have knowledge of his current mental state, and he would discuss any additional self-harm feelings with his wife.



Division of Human Resources & Administration
1000 Brookhaven Drive • Aiken, South Carolina 29803

Monday, March 15, 2021

Mr. Austin Bischoff

Hand Delivered and Certified Mail

Dear Mr. Bischoff,

This letter is sent as follow-up to the conversation you had with Dr. Salvatore Minolfo, Director of Administration, and Mrs. LaToya Wiley, Director of Special Programs, on Monday, March 15, 2021.

During our conversation, you were informed that you are being placed on administrative leave with pay effective tomorrow, Tuesday, March 16, 2021, while an investigation takes place into the allegations of inappropriate language with a student and poor judgment. During your leave, your work email will be temporarily disabled effective February 9, 2021.

While on administrative leave, you are to refrain from discussions or social media postings with students, parents, colleagues, or anyone else that might possibly be connected to this investigation. Further, you are not allowed on any Aiken County Public School property or at any school district function without prior approval from administration.

If you have questions, please contact me at 803-641-2428, or via email at jhart@acpsd.net

Sincerely,

Jennifer Hart
Chief Officer of Human Resources and Administration
Aiken County Public School District

cc: Personnel File

**AIKEN COUNTY PUBLIC SCHOOL DISTRICT
SUMMARY OF INVESTIGATION**

Date Reported	03.12.2021
Employee Name, Title, Location	Austin Bischoff, School Psychologist, Department of Special Programs – assigned to Aiken Intermediate School and North Aiken Elementary School
Investigator	Salvatore Minolfo, Ph.D., Director of Administration
Allegation(s)	<ul style="list-style-type: none"> Austin Bischoff allegedly was rewarding a male student in his office for completing the re-evaluation assessments. During the reward time, the student stated that AB used the words “boobs” and “ass” referring to the Lego robot’s body parts. AB also stated how much money he spent on the robot and told the student not to tell his mother, which made the student feel uncomfortable.
Investigation Process	<ul style="list-style-type: none"> AB admitted to the allegations; stating that he accidentally used the two words and “let it slip” how much the robot cost. He acknowledged that he used inappropriate language. He also acknowledged that he had been previously instructed not to have students in his office alone because the room does not have windows. The principal provided other viable options to AB.
Witnesses	<ul style="list-style-type: none"> ██████████, Student ██████████, Parent
Description of evidence:	<ul style="list-style-type: none"> Witness’s statement Respondent’s statement Email exchanges from district employees regarding AB’s performance Notes (LaToya Wiley, Director of Special Programs)
Applicable employer policy (or policies)	<ul style="list-style-type: none"> Aiken County Public School District Board Policy GBEB
Factual Findings	<ul style="list-style-type: none"> AB admitted to the allegations; stating that he accidentally used the two words and “let it slip” how much the robot cost. He acknowledged that he used inappropriate language. He also acknowledged that he had been previously instructed not to have students in his office alone because the room does not have windows. The principal provided other viable options to AB.
Conclusions	<ul style="list-style-type: none"> After reviewing all evidence, it was determined that AB’s actions on Wednesday, March 10, 2021 were isolated to that singular incident. Evidence reviewed indicated that AB has employee performance concerns, which should be addressed in a Performance Improvement Plan (PIP).
Recommended Actions	<ul style="list-style-type: none"> Warning in writing regarding the use of inappropriate language and poor judgment Performance Improvement Plan to address performance issues
Actual Actions	<ul style="list-style-type: none"> Warning in writing regarding the use of inappropriate language and poor judgment Performance Improvement Plan to address performance issues
Date complainant notified:	03.17.2021
Date accused notified:	03.17.2021
Date investigation closed:	03.17.2021
Investigator’s Signature:	Salvatore A. Minolfo

Salvatore Andrew Minolfo

From: Eileen McCray
Sent: Monday, March 15, 2021 11:59 AM
To: Salvatore Andrew Minolfo
Subject: FW: Statement

Statement from staff member

From: Eileen McCray
Sent: Friday, March 12, 2021 4:32 PM
To: LaToya Wiley <LWiley@acpsd.net>
Subject: FW: Statement

From: Austin Bischoff
Sent: Friday, March 12, 2021 4:20 PM
To: Eileen McCray <emccray@acpsd.net>
Subject: Statement

Good afternoon,

This is my statement regarding [REDACTED]. I informed him that if he completed testing with me that I would allow him to build a leggo set with me if he was compliant during testing. I said that he would be the only one being able to build the leggo set while he was here. and that I would not do it with any other student. I told him that we would do it during advisory, so he would not miss any class. He stated that he wanted to build the leggo set. He completed his testing, so I told him that we could do it on Wednesday. The day we started, he asked me how much it cost and I let it slip that it cost me \$60. Because he has an issue with defiance and anger, especially when I tried to get him for testing, I told him that the room is a safe space, and that he can use whatever language he wants if it lets him express how he is feeling, but that he is not allowed to talk that way in any other context. I then said to him that I accidentally let it slip that it's not good to tell people how much something cost, and that we shouldn't mention it any further. While we were building, I accidentally said, "boobs, I MEAN PECKS!!" I also may have said the word ass as a freudian slip on accident. I think I do remember [REDACTED] telling me I said a bad word. It was likely another slip and I feel very apologetic. It really was an accident, and I didn't mean to say it. That is all I remember discussing besides building the pieces.

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AIKEN COUNTY
PUBLIC SCHOOLS

Task: Performance Improvement Plan (PIP)**PERFORMANCE IMPROVEMENT PLAN (PIP)****#1 - Job Performance Improvement****#1 - Job Requirement**

The school psychologist will adhere to the IDEA Regulations, OSES Process Guide, and ACPS Special Education Process Guide in preparation for and completion of initial evaluations/reevaluations.

#1 - Expectation(s)/Action Steps

1. The school psychologist will ensure that all parents/team members have at least 7 days of notice before holding a meeting. The school psychologist will follow-up with the parent to ensure meaningful participation in the meeting.
2. The school psychologist will collaborate with team members to ensure that all students who are referred are followed up on within one week. The school psychologist will track students who are referred for an evaluation using an organizational system (Microsoft Planner).
3. Initial Evaluations: The school psychologist will come prepared to all meetings entering information into the referral/eval planning form prior to the meeting.
4. Reevaluations: The school psychologist will review the student's special education file prior to the reevaluation review and enter all historical information related to the student prior to the reevaluation review.
5. All Evaluations: The school psychologist will complete evaluation reports/FBAs at least 3 days prior to the meeting to review the document.
6. All Evaluations: The school psychologist will notify all eligibility determination team members once the evaluation report is complete in Enrich.
7. The school psychologist will coordinate with special education case managers to schedule all previously planned initial evaluations and all remaining reevaluation reviews. The teams will also establish who will send meeting notice letters, schedule locations, and notify team members.
8. The school psychologist will use an organizational system (Microsoft Planner) to track students referred for evaluation and open and upcoming evaluations and will share with team members and with the Coordinator of Evaluation and Student Services.
9. Reevaluations: The school psychologist will take time to consult with special education case managers prior to reevaluation review meetings.
10. All Paperwork: The school psychologist will submit all evaluation components, transfer documents, reevaluations, FBAs, to the Department of Special Programs within 10 business days of completing the action and the Evaluator Audit Sheet.
11. The school psychologist will set up a meeting twice a month with the Coordinator of Evaluation and Student Services to review progress toward meeting the goals of this improvement plan.

#1 - Supervisor Assistance/Training Provided

- Upon school psychologist request, the Coordinator of Evaluation and Student Services will provide strategies to assist the evaluator when there is difficulty in scheduling meetings, gathering and entering assessment data, and securing required team members.
- The Coordinator of Evaluation and Student Services will assist upon school psychologist request with concerns related to time management and organization.
- A report of all remaining reevaluations will be provided for planning purposes.
- Example tracking sheets are available on the OneDrive and will be shared with the school psychologist.
- A meeting will take place every other week for consultation, training, and review of the improvement plan.
- Assistance will be provided to finalize action plans for overdue evaluations.

#1 - Evidence of Progress

- Evaluation reports, eligibility determinations, and associated paperwork to include meeting notice letters, contact logs, and Prior Written Notices. This includes both electronic versions and hard copies of student files.
- Review of activity in Enrich via Audit Logs for actions within the program.
- Tracking form of evaluations (Microsoft Planner)
- Contact logs in Enrich
- Email Correspondence
- School Psychologist Quarterly Data Sheet
- Open Actions report from Enrich, Evaluation Compliance Checks Report.

#1- Progress Review Date

03/31/2021

#2 - Job Performance Improvement

#2 - Job Requirement

The school psychologist exhibits good judgment, professional demeanor, and behavior. Indicator 5.2 on the School Psychologist Evaluation Rubric.

#2 - Expectation(s)/Action Steps

1. The school psychologist will test students in a designated location at each school to protect himself, the student, and the integrity of the assessment.
2. If a student is resistant to assessment, the school psychologist will collaborate with the school administration on strategies and if necessary his immediate supervisor.
3. The school psychologist will ensure that 1:1 meetings with students occur in a designated space where others are able to see them.

#2- Supervisor Assistance/Training Provided

1. Consultation on situations when the student is resistant to evaluation
2. Ensure that adequate space is available at each school.

#2 - Evidence of Progress

1. Documentation of location of assessments and meetings with students in Outlook.

#2 - Progress Review Date

03/31/2021

#3 - Job Performance Improvement

#3 - Job Requirement

#3 - Expectation(s)/Action Steps

#3 - Supervisor Assistance/Training Provided

#3 - Evidence of Progress

#3 - Progress Review Date

Attached Workflow DR Signature+SV Signature+Employee Relations Approve

Current Status Approved

Submitted Date 03/22/2021 at 3:01 PM

Submitted By Philip Young

Workflow Steps

- 1 Signed by Austin Bischoff on 03/31/2021 at 3:50 PM SpEd School Psychologist
Signature: Austin Bischoff
- 2 Signed by Philip Young on 03/31/2021 at 3:53 PM Coordinator OF Evaluation and
Signature: Philip Young
- 3 Approved by Elizabeth McClearen on 03/31/2021 at 4:07 PM Employee Relations Coordinator

