

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

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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

s/David C. O'Shields
David C. O'Shields, Chair

Columbia, South Carolina
September 3, 2024