

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Permanent Revocation)
of the Educator Certificate of)
Andrew J. Van Berkum)
Certificate 239580)
_____)

ORDER OF

PERMANENT REVOCATION

SUMMARY OF THE CASE

The State Board of Education (State Board) considered this matter on September 12, 2012. On July 10, 2012, the South Carolina Department of Education (SCDE) sent a notice letter to Mr. Andrew J. Van Berkum regarding the possible sanction of his South Carolina Educator Certificate. On August 8, 2012, Mr. Van Berkum received the notice as evidenced by a postal receipt bearing his signature. Mr. Van Berkum did not send in a written request for a hearing within the fifteen day timeframe and is in default.

After considering the evidence presented, the State Board voted to permanently revoke Mr. Van Berkum's educator certificate 239580, effective September 12, 2012.

FINDINGS OF FACT

Mr. Van Berkum holds a professional South Carolina educator certificate and has four years teaching experience. He has no prior record of disciplinary action with the State Board. Mr. Van Berkum was previously employed by the Lexington County School District One (District) as the Lacrosse Coach and as a teacher at White Knoll High School (School) during the 2009–2010 school year. On May 14, 2010, the School principal received a report that Mr. Van Berkum had purchased cigarettes for a student. Law Enforcement subsequently issued a ticket to Mr. Van Berkum and charged him with supplying a minor with tobacco. At the conclusion of the 2009–2010 school year, the District determined that Mr. Van Berkum exercised poor judgment and reassigned Mr. Van Berkum to a teaching position at Pelion High School. The District also removed Mr. Van Berkum from his coaching duties.

The District administration received no other reports concerning Mr. Van Berkum until April 20, 2012. On that date, a former student reported to the School principal that around the time period of January 2010, she had consensual sex with Mr. Van Berkum on two separate occasions on the School campus. On May 1, 2012, the District met with Mr. Van Berkum concerning this matter. Mr.

Van Berkum admitted to having sexual relations with the former student, apologized for his conduct, and immediately submitted his resignation.

On July 10, 2012, the SCDE sent a notice letter to Mr. Van Berkum regarding the possible suspension or revocation of his South Carolina educator certificate and his right to a hearing in this matter. On August 8, 2012, Mr. Van Berkum received the notice as evidenced by a postal receipt bearing his signature. Mr. Van Berkum did not send in a written request for a hearing and is in default.

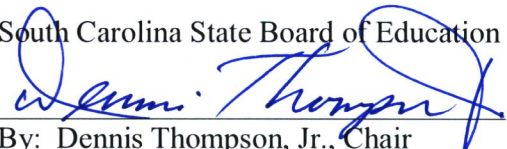
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CONCLUSIONS OF LAW

The State Board has jurisdiction in this matter pursuant to S.C. Code Ann. § 59-25-15 (2004) and 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 and evident unfitness for position for which employed." S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2011). The State Board finds that Mr. Van Berkum engaged in unprofessional conduct, immorality and demonstrated evident unfitness for position for which employed, as a result of his supplying cigarettes to a minor and having sexual relations with a student. Mr. Van Berkum admitted to this conduct with the student.

The State Board finds that the evidence presented by the SCDE supports its decision that just cause exists to permanently revoke the educator certificate of Andrew J. Van Berkum, certificate 239580. The permanent revocation of Mr. Van Berkum's educator certificate 239580 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, immorality, and evident unfitness for position for which employed."

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: Dennis Thompson, Jr., Chair