

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Dorothy Van Der Sterre Smith
Certificate 220964

CONSENT ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 12, 2022. On March 31, 2022, the South Carolina Department of Education (SCDE) sent notice via regular mail to Dorothy Van Der Sterre Smith concerning the pending action against educator certificate 220964. Ms. Smith timely requested a hearing. Prior to a hearing, Ms. Smith agreed to an alternate resolution. Ms. Smith agrees to waive her right to a hearing and enter into this Consent Order of Suspension of educator certificate 220964 for a period of one year. After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Ms. Smith's educator certificate for a period of one year, to be served partly retroactive, commencing on June 30, 2021 and ending on June 30, 2022. Ms. Smith will also complete the NASDTEC Prevention and Correction course prior to the reinstatement of her certification.

FINDINGS OF FACT

Ms. Smith holds a valid South Carolina professional educator certificate. She has over fifteen years of educator experience and has no prior record of disciplinary action with the State Board. Ms. Smith was a teacher at Timberland High School (School) for the Berkeley County School District (District) at the time of the incident.

On December 4, 2019, a custodian at the School reported seeing Ms. Smith hugging a male student with her legs wrapped around the student's waist. During the District's investigation, Ms. Smith admitted she often hugged her students. The student involved in this incident was an athlete and Ms. Smith felt he was joking by picking her up to show off his strength. In a statement on the incident, Ms. Smith stated that while she

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220964
s/DS
Initial
3/22/2022
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intended to form an emotional link with her students, she may have made herself too approachable and available to them. She has not worked as a certified educator since leaving the District in 2019.

After considering the evidence presented, the State Board voted to accept the Consent Order of Suspension of Ms. Smith's educator certificate for a period of one year commencing on June 30, 2021 and ending on June 30, 2022. Ms. Smith will also complete the NASDTEC Prevention and Correction course prior to the reinstatement of her certification.

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 (Rev. 2004); S.C. Code Ann. § 59-25-160 (2016). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2016); 24 S.C. Code Regs. 43-58 (2016). The State Board finds that the evidence presented demonstrates that Dorothy Van Der Sterre Smith engaged in unprofessional conduct by failing to maintain professional boundaries with students. The State Board further finds that just cause exists for the suspension of Ms. Smith's educator certificate for a period of one year, to be served partly retroactive, commencing on June 30, 2021 and ending on June 30, 2022. The State Board further finds that just cause exists to accept the requirement of Ms. Smith successfully completing the NASDTEC Prevention and Correction course.

If Ms. Smith wishes to have her certificate reinstated at the conclusion of the period of suspension, she shall make a written request to the SCDE's Office of Educator Services. Ms. Smith shall be responsible for meeting all certification requirements in effect at the time she requests reinstatement and for the payment of any applicable reinstatement fees. Ms. Smith shall provide the SCDE Office of Educator Services proof of the successful completion of the NASDTEC Prevention and Correction course prior to

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requesting reinstatement of her educator certificate. The suspension of Ms. Smith's educator certificate shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

Now, therefore, it is hereby ordered that the educator certificate of Dorothy Van Der Sterre Smith, certificate 220964, is suspended for a period of one year, commencing on June 30, 2021 and ending on June 30, 2021.

AND IT IS SO ORDERED.

South Carolina State Board of Education

s/Alan Walters
Alan Walters, Chair

Columbia, South Carolina
April 12, 2022

I, Dorothy Van Der Sterre Smith, SC Educator Certificate 220964, understand there has been an investigation concerning alleged violations of the laws and regulations governing the practice of educator certificate holders and that I have waived my right to a hearing in this matter. I understand the terms set forth in this Consent Order of Suspension are not subject to reconsideration, collateral attack or judicial review. I agree to the terms of this Consent Order of Suspension, consisting of three pages, and understand that this Order will be presented to the State Board for approval on April 12, 2022. I understand this Order will not become effective until approved by the State Board and, if not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the State Board to adjudicate this matter. If approved by the State Board, I give the SCDE permission to use my electronic signature in the style of "s/name" for required website publication.

s/ Dorothy Van Der Sterre Smith
Dorothy Van Der Sterre Smith

3/22/2022
Date

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220964
s/DS
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