

**BEFORE THE TENNESSEE STATE BOARD OF EDUCATION**

**IN THE MATTER OF:** )  
 ) **License No. 169156**  
**BRIAN BERKOWITZ** )

**VOLUNTARY SURRENDER**

The Tennessee State Board of Education (Board) disposes of this matter as follows:

**FINDINGS OF FACT**

1. At all times pertinent hereto, Brian Berkowitz (“Respondent”) was licensed by the State Board of Education (“Board”) as a teacher in the State of Tennessee.
2. On April 3, 2014, Respondent voluntarily surrendered his teaching license in Florida for non-sex related acts or crimes committed against a child.
3. Respondent was notified by certified mail of the Board’s intent to revoke his license concurrent with the surrender of his Florida license, and of his right to a hearing. Respondent, through counsel, consented to the voluntary and permanent surrender of his Tennessee teaching license based upon the conduct which led to the surrender in Florida. Respondent’s Florida teaching license is presently revoked and/or invalidated.

**CONCLUSIONS OF LAW**

Respondent’s conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

**ORDER**

The Tennessee State Board of Education hereby accepts the voluntary and permanent surrender of Respondent’s license concurrent with the surrender of his Florida license. During the period of revocation, Respondent shall not serve as a volunteer or be employed, directly or indirectly, as an educator, paraprofessional, aide, substitute teacher, or in any other position in a public school in the State of Tennessee.

Respondent may not apply for reinstatement until three (3) years from the effective date of this order. Restoration shall be at the discretion of the Board, pursuant to Policy 5.500.

Approved by the Board this 31st day of October, 2014.

TENNESSEE STATE BOARD OF  
EDUCATION

BY: *B. Fielding Rolston*  
B. Fielding Rolston, Chair

ATTEST: *Gary L. Nixon*  
Dr. Gary L. Nixon, Executive Director

Sworn to and subscribed before me this 14<sup>th</sup> day of November, 2014.

*Phyllis E. Childress*  
NOTARY PUBLIC



MY COMMISSION EXPIRES: last known

After entry, a copy of this Order will be mailed to Respondent's last known address:

Mr. Mark Herdman  
Counsel for Respondent  
Herdman & Sakellarides, P.A.  
29605 US Highway 19 N.  
Suite 110  
Clearwater, FL 33761