



TENNESSEE
STATE BOARD OF EDUCATION

EDUCATOR LICENSURE DISCIPLINE

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AGENDA

- Updates to the Licensure Discipline Rule
- Overview of Educator Licensure Discipline Process within SBE
- TN Compass Reporting Training
- Investigation Examples
- Wrap-up/Questions

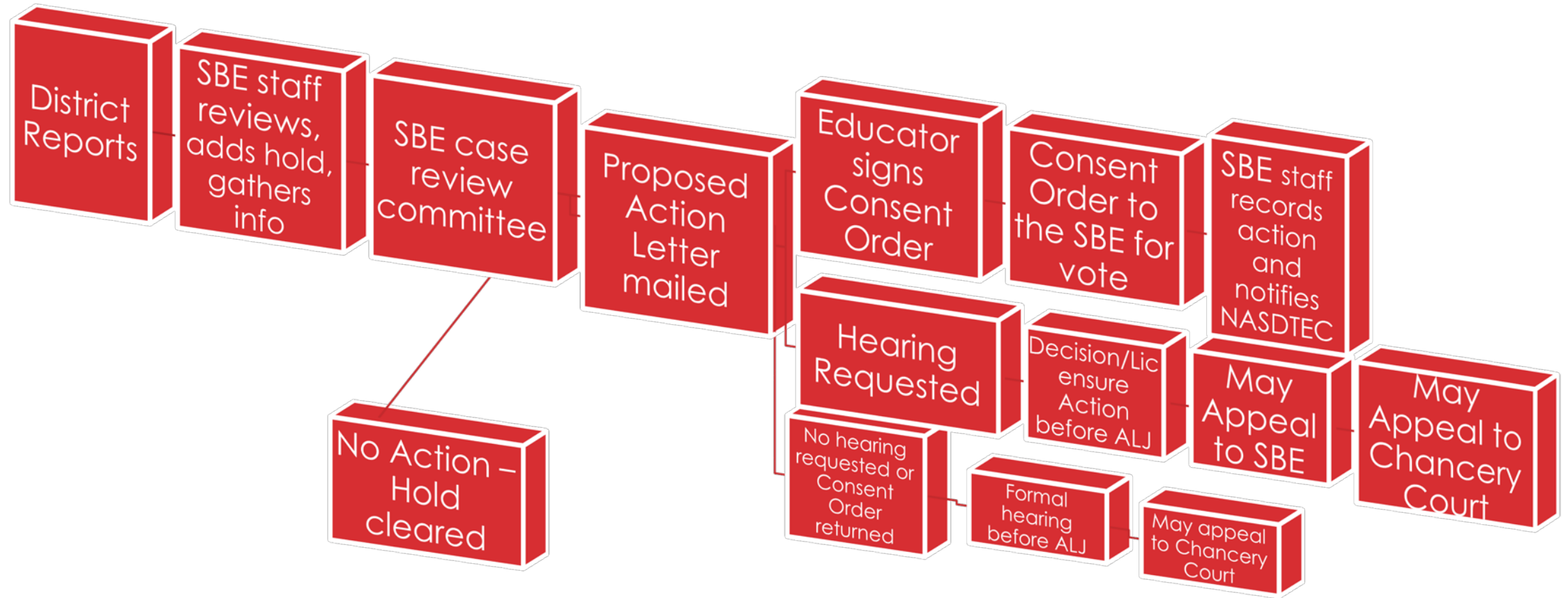
EDUCATOR LICENSURE DISCIPLINE RULE- PROPOSED CHANGES

- Updates to State Board processes for educator discipline aligned with UAPA
 - Consent orders
 - Instituting contested case proceedings when no hearing requested or consent order requested
- Additional Definition Clarifications
 - Including administrative leave in suspension definition
 - Including voluntary surrender to definition of revocation
 - Adding definition of dismissed to include non-renewal
 - Clarifying definition of breach of test security
- Under the Influence of drugs and alcohol
- Including Failure to report by Director on discipline schedule

OVERVIEW AND KEY FACTS -

- Receive approximately 40 new reports of misconduct each month
- Reporting is now done through TN Compass and reports come straight to State Board staff
- All matters reported must go through the case review process
 - Few exceptions
- Open new files monthly
- Case Review meeting held monthly, typically at the end of each month (scheduled a quarter at a time)
- A licensure hold does NOT equate to licensure action.

EDUCATOR DISCIPLINE IN 3D



TYPES OF REPORTS

- NASDTEC – National Association of State Directors of Teacher Education and Certification
 - States' national clearinghouse for information sharing regarding disciplined educators
- News/Media (SBE staff adding hold)
- Educators
 - Personal affirmations
 - Application, renewal application, adding endorsements, adding degrees, name change, etc.
 - Felony convictions, drug charges, prior discipline, pending discipline
- DHS-Department of Human Services/DOH-Department of Health
 - Failure to pay child support/alimony obligations
- LEA – directors submitting reports for misconduct in schools

DISTRICT REPORTING

WHEN TO REPORT

- State Board Rule – Rule 0520-02-03-.09
- Whenever a licensed teacher or administrator is **suspended** (administrative leave w/ or w/o pay, suspended pending investigation), **dismissed** (or non-renewed), or has **resigned** (retired) following allegations of misconduct, *that if substantiated*, would warrant licensure action (reprimand/suspension/revocation) under the State Board Rule, **Director of Schools** is to report **within 30 days** of employment action.
- In addition to investigation/law enforcement/DCS/local action, districts must report to the State Board.
- Differences between employment matters (local action) vs. licensure action (SBE action)

WHAT TO REPORT

Licensure Issues - YES!

- Inappropriate relationship with student
- Inappropriate communication (explicit and non-explicit)
- Inappropriate physical contact (explicit and non-explicit)
- Drinking/under influence/in possession of alcohol/illegal drugs at school or school related activity
- Test security breaches
- Felony convictions

Employment Issues – NO!

- Occasional tardiness
- Consensual relationship with coworker
- Insubordination
- Failure to submit grades in a timely manner

HOW TO REPORT

- **Must** be reported **within 30 days** of employment action or knowledge of a felony conviction.
- Report to State Board directly through TN Compass, facsimile, or mail using reporting forms on State Board of Education website.
- Initial Director's report - initial employment action i.e. administrative suspension/administrative leave/suspension pending investigation
- **Final report** – final employment action i.e. final suspension/termination/resignation/etc.

CONSEQUENCES FOR NOT REPORTING

- If a Director of Schools has an educator license:
 - Board rule provides that the license may be revoked, suspended or reprimanded for failure to report.
 - State law provides that a Director of Schools may be publically reprimanded by the Board for failure to report.
- Additionally, the law now provides that an unlicensed Director of Schools may be publicly reprimanded for failure to report.

WHAT HAPPENS WHEN A REPORT IS RECEIVED?

AFTER REPORTS RECEIVED

- Board Rule – 0520-02-03-.09(2) provides that “school systems have a duty to respond to State Board inquiries and provide to the State Board, except when prohibited by law, any available documentation requested concerning the allegations contained in the notice.”
- What information does the SBE need/want to aid in decision making for licensure action, if any?
 - District Investigative materials
 - Specific details of offense
 - Witness statements
 - Results of DCS/law enforcement investigation
 - Videos
 - Drug/alcohol test results

SBE STAFF CASE REVIEW MEETINGS

WHO, WHAT, WHEN, HOW?

- Who – per policy – Executive Director, General Counsel, at least one staff member (typically the same 2 or 3 staff members)
- What – usually reviewing 20-50 plus cases a month considering all evidence involved
- When – once a month for 2 hours
- How – trying to create consistency with the use of discipline guideline in SBE discipline rule, prior actions/recommendations/court orders to provide initial recommendations; recommendations (suspension, denial, formal reprimand, revocation made to the Board)

NO ACTION RECOMMENDED

- Holds are cleared.
 - Emails are sent to Educator when holds are cleared.
 - Status of license is “active” and no longer under review by SBE

ACTION RECOMMENDED

- Attorneys mail Educators 45 day letter (certified mail receipt)
 - Letter explains due process rights
 - Educator has 15 days to submit information to mitigate recommendation (show compliance)
 - Educator has 45 days to sign and return Consent Order OR request a hearing to appeal the recommendation
 - The letter includes facts supporting recommendation
 - The letter includes includes Consent Order
 - The letter includes a copy of the applicable rule

BOARD MEETINGS

- State Board meets four (4) times a year – February, May, July, November
- Board considers recommendations by SBE staff
 - Consent Orders
 - Educator consents to SBE staff recommendation via signed Consent Order
 - Board can approve Consent Order with SBE staff recommendation OR seek harsher discipline
 - Automatic revocations
 - Automatic suspensions for failure to comply with Court orders such as child support and failure to pay student loans
- All meetings are live streamed
- Approved Consent Orders are posted to [Board website](#) and teacher database, TN Compass
- Director of Schools get notified via email of suspensions/revocations, if educator staffed in their district

PROTECTIONS UNDER THE ADMINISTRATIVE APPEALS PROCESS

- Burden of Proof – ‘Preponderance of Evidence’ i.e. more likely than not
 - SBE has the burden except in denials/restoration denials
- Governed by Uniformed Administrative Procedures Act (UAPA)
- Notice
- Right to be represented by counsel
- Chance to be heard and present evidence
 - Witnesses
 - Rules of Evidence of apply
 - Rules of Court appeal
 - Formal hearing
- Appeal to Chancery Court or Board
- Matters heard by Administrative Law Judge i.e. neutral party with no ties to the State Board

TN COMPASS TRAINING

- TN Compass district reporting
 - [TN Compass training](#)

INVESTIGATION AND REPORTS INSIGHTS

- How to complete the Directors' and Final Reports
- Examples of informative Investigative Materials
- Considerations for both when submitting to SBE legal staff

FINAL THOUGHTS / QUESTIONS

WE WANT TO HEAR FROM YOU!

Contact Us:

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for Educator Discipline

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Quick Reference Sheet: Reporting Educator Misconduct to the State¹

Director Reporting Obligations

State law and State Board rules on educator licensure discipline state that it is the responsibility of the Director of Schools to inform the Tennessee State Board of Education (the “Board”) of licensed educators who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which would warrant consideration for licensure action.

The Director of Schools is also required to report licensed educators with felony convictions and convictions for any offenses set forth in the rule within thirty (30) days of receiving knowledge of the conviction. All reports shall be submitted to the Board within thirty (30) days of the suspension, dismissal, or resignation.

Reports must be submitted using the forms developed by TDOE:

- [Initial Director's Reporting Form](#)
- [Director's Final Reporting Form](#)

Please note that the Initial Director's Report should be used with the initial employment action (i.e. administrative leave with or without pay, suspension pending investigation, etc.).

Please ALWAYS submit a Final Director's report regarding the final employment action (i.e. 3 day suspension, 10 day suspension, retirement, resignation, termination, etc.).

Make sure that you are using the most updated version of the Initial Director's and Final Reports.

What Type of Misconduct Requires a Report to the State?

If a licensed educator has been suspended, dismissed, or has resigned following misconduct that could lead to licensure action, they must be reported. Suspension includes when an educator is placed on administrative leave (with or without pay). Dismissal includes when an educator is non-renewed. Retirement amidst misconduct in lieu of termination, should be reported as well.

Licensure Issues² - *Report IS REQUIRED under Board rules (NOT an exhaustive list):*

1. Inappropriate relationship with a student
2. Inappropriate communication with student (explicit and non-explicit) (NOT an exhaustive list of examples)
 - a. Texting (in violation of a school or LEA communications policy)
 - b. Cursing at students
 - c. Being sexually suggestive
 - d. Talking about personal romantic relationships with students

¹ This flyer is intended as a quick reference sheet only. Please refer to State Board rule [0520-02-03-.09](#) for a full list of requirements.

² This list is not exhaustive, please refer to board rules noted in Footnote 1 for a full list or contact State Board attorneys using the contact information below.



3. Inappropriate physical contact with students (with or without harm) (NOT an exhaustive list of examples)
 - a. Sexual in nature (kissing, sexual touching, etc.)
 - b. Hitting student (using hand(s), objects, etc.)
 - c. Placing student in an improper restraint hold
4. Drinking/in possession of/under influence at school or school related activity
5. Test security breaches
6. Felony convictions
7. Leaving classroom or students unattended
8. IEP issues (Failing to document properly, not holding meetings, falsifying documents, etc.)
9. Inappropriate use of school property (looking at pornography on school computer, etc.)

Employment/Personnel Issues – *Report IS NOT required under Board rules.*

1. Tardiness
2. Relationship with coworker
3. Insubordination
4. Missing days at work
5. Poor classroom management
6. Failing to submit grades in a timely manner

The following page contains the discipline matrix from [State Board rules](#). This matrix details the types of educator misconduct that could warrant licensure action and the range of potential licensure discipline that could be imposed by the State Board.

Tips/Tricks for Reporting in TN Compass

- Please refer to the [step by step guide](#) on how to submit reports and investigative materials through TN Compass.
- The process of *how* to submit reports DOES NOT change what needs to be submitted. Both an Initial Director's Report and Final Report need to be submitted to the Board, along with any investigative materials.
- When possible, submit all documentation (initial director's report, final report, investigative materials) in one hold request for a single incident of educator misconduct.
- If you are submitting all investigative materials with reporting forms, please note such on the Final Reporting form.
- If all documentation regarding a single incident of educator misconduct cannot be submitted in one hold request, first check to see if a hold is on said educator's license; if so, add additional documentation using the edit button on the hold and attaching additional documentation. If there is no hold, submit a second hold request with all additional documentation.
- If you have to submit more than one hold request for the same educator regarding the same misconduct, only one hold request will be approved. You will receive a denied hold request email regarding the additional submissions.
- Do NOT change the Hold Reason. It will always be "Reported by LEA."



- The secondary hold reason should match the circled allegations of misconduct from the Initial Director's Report.
- You MUST attach at least an Initial Director's Report when submitting a hold request.
- Preserve all video evidence, where applicable, and contact Christie White with the State Board for submission of any video evidence to the State Board.

When in doubt about whether to submit a report, contact Brittani Kendrick (Brittani.C.Kendrick@tn.gov or 615-741-4928) or Todd Madison (Todd.M.Madison@tn.gov or 615-253-2102) at the State Board of Education.

When in doubt about how to submit a report, contact Christie White (Christie.White@tn.gov or 615-507-6979) at the State Board of Education.

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-02-03
EDUCATOR LICENSURE**

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0520-02-03-.09 DENIAL, FORMAL REPRIMAND, SUSPENSION AND REVOCATION.

- (1) Definitions and Examples:
 - (a) Conviction – Means a judgment entered by a court upon a plea of guilty, a plea of nolo contendere, a finding of guilt by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. Conviction includes, but is not limited to, a conviction by a federal court or military tribunal, including a court-martial conducted by the armed forces of the United States, and a conviction, whether upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, in any other state of the United States, other jurisdiction, or other country. Conviction also includes a plea taken in conjunction with § 40-35-313 or its equivalent in any other jurisdiction.
 - (b) Formal Reprimand – A less harsh licensing action than the suspension, revocation, or denial of a license, which admonishes an educator for certain conduct under this rule. An educator who has been reprimanded by the Board will receive a letter from the State Board of Education, which will become part of the educator’s state and local record, indicating that the inappropriate conduct is discouraged and shall be subject to further disciplinary action if repeated.
 - (c) Inappropriate Communication (Explicit) – Any communication between an educator and a student that describes, represents, or alludes to sexual activity or any other illicit activity. This shall not be construed to prevent an educator from communication regarding sexual or illicit activities for educational purposes such as in teaching family-life curriculum pursuant to T.C.A. §§ 49-6-1307 et seq. or drug abuse resistance education pursuant to T.C.A. § 49-1-402.
 - (d) Inappropriate Communication (Non-Explicit) – Any communication between an educator and a student that is beyond the scope of the educator’s professional responsibilities. Examples of such non-explicit inappropriate communications include, but are not limited to, those communications that discuss the teaching staff member’s or student’s past or current romantic relationships; those that include the use of profanities or obscene language; those that are harassing, intimidating, or bullying; those that attempt to establish an inappropriate personal relationship with a student; and those that are related to personal or confidential information regarding another school staff member or student.
 - (e) Inappropriate Physical Contact – Unlawful, unnecessary, and/or unjustified physical contact with a student. Examples of such unnecessary and unjustified contact include, but are not limited to sexual contact, physical altercations, horseplay, tickling, improper use of corporal punishment, and rough housing.
 - (f) Inappropriate Physical Contact With Harm – Inappropriate physical contact as described in subparagraph (e) above that results in physical or mental harm or the potential of

physical or mental harm to a student.

- (g) Major Testing Breach – A breach of test security that results in nullification of test scores, as determined by the Department of Education.
 - (h) Minor Testing Breach – A breach of test security that does not result in nullification of any test scores, as determined by the Department of Education.
 - (i) Negligence – Failure to exercise the care toward others that a reasonable or prudent person would exercise under the circumstances or taking action that a reasonable person would not.
 - (j) Official School Business – Any activity undertaken by an educator in an official capacity and in connection with the educator’s employment. Examples include, but are not limited to, conferences, professional development, trainings, and seminars.
 - (k) Other Good Cause – Conduct that calls into question the fitness of an educator to hold a license including, but not limited to, noncompliance with security guidelines for Tennessee Comprehensive Assessment Program (TCAP) or successor tests pursuant to T.C.A. § 49-1-607, failure to report licensure actions as required under paragraph (2), or violation of any provision in the Teacher Code of Ethics as contained in T.C.A. §§ 49-5-1001, *et seq.*
 - (l) Permanent Revocation – The nullification of an educator’s license without eligibility for future reinstatement.
 - (m) School Premises – Any real property and/or land owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.
 - (n) School Property – Any property owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.
 - (o) School Related Activity – Any activity in which a student participates, including but not limited to classes, meetings, extracurricular activities, clubs, athletics, and field trips, sponsored by the school, state educational agency, or local educational agency.
 - (p) Suspension – The nullification of an educator’s license for a predetermined term, after which the license is automatically reinstated. Reinstatement may be subject to the completion of terms and conditions contained in the order of suspension.
 - (q) Revocation – The nullification of an educator’s license for a period of at least five (5) years, after which an educator may petition the State Board for reinstatement.
- (2) Notification of Office of Educator Licensing – It is the responsibility of the Director of Schools of the employing public or non-public school or school system or his or her designee to inform the Office of Educator Licensing of licensed educators who have been suspended or dismissed, or who have resigned, following allegations of conduct which, if substantiated, would warrant consideration for license suspension or revocation under paragraphs (3), (4), or (5). The report shall be submitted within thirty (30) days of the suspension, dismissal, or resignation. The Director of Schools or his or her designee shall also report felony convictions of licensed educators within thirty (30) days of receiving knowledge of the conviction. School systems have a duty to respond to State Board inquiries and provide to the State Board, except when prohibited by law, any available documentation requested concerning the allegations contained in the notice.
- (3) The State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for any of the following reasons:
- (a) Conviction of a felony;

- (b) Conviction of possession of illegal drugs;
 - (c) Being on school premises, at a school-related activity involving students, or on official school business, while possessing or consuming alcohol or illegal drugs;
 - (d) Falsification or altering of a license or documentation required for licensure;
 - (e) Inappropriate physical contact with a student;
 - (f) Denial, suspension, or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension, or revocation under this rule;
 - (g) Other good cause as defined in subparagraph (1)(k) of this rule; or
 - (h) Any offense contained in paragraphs (4) and/or (5) of this rule.
- (4) Automatic Revocation and Suspension
- (a) Automatic Revocation of License – The State Board of Education shall automatically revoke, without the right to a hearing, the license of an educator for the following:
 - 1. Upon receiving verification of the identity of the licensed educator together with a certified copy of a criminal record showing that the licensed educator has been convicted of any the following offenses listed at T.C.A. § 39-17-417, a sexual offense or a violent sexual offense as defined in T.C.A. § 40-39-202, any offense in title 39, chapter 13, T.C.A. § 39-14-301 and T.C.A. § 39-14-302, T.C.A. § 39-14-401 and T.C.A. § 39-14-404, T.C.A. § 39-15-401 and T.C.A. § 39-15-402, T.C.A. § 39-17-1320, or any other offense in title 39, chapter 17, part 13 (including conviction for the same or similar offense in any jurisdiction).
 - 2. Upon receiving verification of the identity of the licensed educator together with a report from the Department of Children’s Services (DCS) stating that DCS has found the educator to have been a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect as stated in T.C.A. § 49-5-413.
 - 3. The Board will notify persons whose licenses are subject to automatic revocation at least thirty (30) days prior to the board meeting at which such revocation shall occur.
 - (b) Automatic Suspension of License – The State Board of Education shall automatically suspend, without the right to a hearing, the license of an educator upon receiving notice from the responsible state agency of the identity of the licensed educator together with notification that the educator has committed any of the following offenses:
 - 1. Default on a student loan pursuant to T.C.A. § 49-5-108(d)(2); or
 - 2. Failure to comply with an order of support for alimony or child support, pursuant to T.C.A. § 36-5-706.
 - 3. The Board will notify persons whose licenses are subject to automatic suspension at least thirty (30) days prior to the board meeting at which such suspension shall occur.
- (5) Disciplinary Actions
- (a) For the following categories of offenses, the State Board of Education shall impose uniform disciplinary action upon its findings as detailed below:
 - 1. Conviction of a felony

- (i) Upon receiving notification that an individual has been convicted of a felony, the board may revoke or permanently revoke the convicted individual's educator license.
2. Use or possession of alcohol or illegal substances
- (i) An individual holding an educator's license who is found to be in possession of or consuming, alcohol, or using illegal substances while on school premises or property when children are present shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.
 - (ii) An individual holding an educator's license who is found to be in possession of or consuming alcohol, or using illegal substances while on school premises or property without children present shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.
 - (iii) An individual holding an educator's license who is found to be in possession of or consuming alcohol or using illegal substances while not on school premises or property, but while participating in school related activities with children present, shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.
 - (iv) An individual holding an educator's license who is found to be in possession of or consuming alcohol or illegal substances while not on school premises or property, but participating in school related activities without children present, shall be subject to a disciplinary action within the range of suspension for not less than six (6) months up to and including a two (2) year suspension.
3. Negligence in the commission of duties as an educator
- (i) An individual holding an educator's license who is found to be negligent in his or her commission of duties as an educator in such a manner that does not result in harm to a child shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a two (2) year suspension.
 - (ii) An individual holding an educator's license who is found to be negligent in their commission of duties as an educator in such a manner that results in harm to a child, shall be subject to a disciplinary action within the range of suspension for no less than one (1) year up to and including permanent revocation.
4. Testing breaches
- (i) An individual holding an educator's license who is found to have committed a minor testing breach shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a suspension not to exceed one (1) year.
 - (ii) An individual holding an educator's license who is found to have committed a major testing breach shall be subject to a disciplinary action within the range of a suspension of no less than one (1) year up to and including revocation.
5. Unprofessionalism

- (i) An individual holding an educator's license who is found to have engaged in non-explicit inappropriate communication with a student shall be subject to a disciplinary action within the range of a suspension for no less than three (3) months up to and including revocation.
 - (ii) An individual holding an educator's license who is found to have engaged in inappropriate communication of an explicit nature with a student shall be subject to permanent revocation.
 - (iii) An individual holding an educator's license who is found to have inappropriately used school property shall be subject to a disciplinary action within the range of a suspension for no less than three (3) months up to and including revocation.
6. Inappropriate Physical Contact
- (i) An individual holding an educator's license who is found to have engaged in inappropriate physical contact with a student that does not result in harm or potential harm to the student shall be subject to a disciplinary action within the range of a formal reprimand up to and including suspension for two (2) years.
 - (ii) An individual holding an educator's license who is found to have engaged in inappropriate physical contact with a student that results in harm or potential harm to the student shall be subject to a disciplinary action within the range of a suspension for not less than two (2) years up to and including permanent revocation.
7. Falsification of Licensure Documentation – An individual holding an educator's license who is found to have falsified licensure documentation shall be subject to a disciplinary action within the range of revocation or permanent revocation.
8. Violation of the Teacher Code of Ethics – An individual holding an educator's license who is found to have violated the teacher code of ethics shall be subject to a disciplinary action within the range of a suspension for no less than one (1) year up to and including revocation.
- (b) Similar offenses – Actions related or similar to the above-enumerated offenses shall carry recommended disciplinary action commensurate with the range established for the similar offense.
 - (c) Nothing in this part shall prevent an educator from exercising his or her lawful authority to use reasonable force when necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another person pursuant to T.C.A. § 49-6-4107.
 - (d) Repeated violations – Individuals holding an educator's license who are subject to multiple disciplinary actions by the Board shall face disciplinary action in excess of the recommended ranges. A third violation, regardless of severity, shall be subject to a recommendation of revocation.
 - (e) Nothing in this rule shall prohibit the State Board from imposing a disciplinary action outside of the uniform discipline range upon good cause shown in extraordinary circumstances.
- (6) Restoration of License
- (a) Suspension

1. A person whose license has been suspended under paragraphs (3), (4), or (5) of this rule may have his or her educator’s license restored after the period of suspension has been completed, and, where applicable, the person has complied with all terms prescribed by the State Board. Suspended licenses are subject to the expiration and renewal rules of the State Board.

(b) Denial or Revocation

1. A person whose license has been denied or revoked under paragraphs (3), (4), or (5) of this rule may apply to the State Board to have the license issued or restored upon application showing that the cause for denial or revocation no longer exists and that the person has complied with any terms imposed in the order of denial or revocation. In the case of a felony conviction, before an application will be considered, the person must also show that any sentence imposed, including any pre-trial diversion or probationary period, has been completed. Application for such issuance or restoration shall be made to the Office of Educator Licensing and forwarded to State Board counsel.
 2. A person whose license has been revoked under paragraphs (3), (4), or (5) of this rule shall not be eligible to reapply for licensure for a period of no less than five (5) years from the time at which the license was initially revoked.
 3. In any deliberation by the Board of Education to restore a license that has been revoked, there will be a rebuttable presumption that an educator whose license has been revoked is unfit for licensure. Nothing in this section is intended to guarantee restoration of a license.
- (7) Presumptive Denial – There shall be a rebuttable presumption that any person applying for an educator’s license who has committed an offense that would subject him or her to revocation shall be presumed ineligible to receive a Tennessee educator’s license.
- (8) Scope of Disciplinary Action – A person whose license has been denied, suspended, or revoked may not serve as a volunteer or be employed, directly or indirectly, as an educator, paraprofessional, aide, substitute teacher, or in any other position during the period of the denial, suspension, or revocation.
- (9) Notice of Hearing – Any person who is formally reprimanded or whose license is to be denied, suspended, or revoked under paragraphs (3) or (5) of this rule shall be entitled to written notice and an opportunity for a hearing to be conducted as a contested case under the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301, *et seq.*
- (10) Discipline Schedule – The following chart outlines the least and greatest disciplinary ranges for the offenses listed as indicated by the shaded squares.

	Letter of Formal Reprimand	Suspension of 3 months up to and including 6 months	Suspension of 6 months up to and including 1 Year	Suspension of 1 Year up to and including 18 Months	Suspension of 18 months up to and including 2 Years	Suspension of 2 years up to and including Revocation	Revocation	Permanent Revocation
Minor Testing Breach								
Negligence w/o Harm or Potential Harm								
Inappropriate Physical Contact w/o Harm								

EDUCATOR LICENSURE

CHAPTER 0520-02-03

Unprofessionalism - Inappropriate Communication (Non-Explicit)								
Unprofessionalism - Inappropriate Use of School Property								
Possession/Use - Off School Premises/Property w/o Children Present During School Related Activity								
Possession/Use - Off School Premises/Property w/ Children								
Possession/Use - On School Premises/Property w/o Children								
Possession/Use - On School Premises/Property w/ Children								
Major Testing Breach								
Violation of Teacher Code of Ethics								
Negligence w/ Harm or Potential Harm to a Student								
Inappropriate Physical Contact with Harm								
Felony Conviction								
Falsification of Licensure Documentation								
Unprofessionalism - Inappropriate Communication (Explicit)								

Authority: T.C.A. §§ 49-1-302, 49-1-607, and 49-5-108. **Administrative History:** Repeal and new rules filed December 18, 2014; effective March 18, 2015. A stay of the rules was filed January 28, 2015; new effective date June 1, 2015. Amendment filed May 29, 2015; effective August 27, 2015. Emergency rules filed August 27, 2015; effective through February 23, 2016. Repeal and new rules filed October 27, 2015; effective January 25, 2016. Emergency rule filed September 5, 2017; effective through March 4, 2018. Amendments filed December 5, 2017; effective March 5, 2018.

**RULES
OF THE
STATE BOARD OF EDUCATION**

**CHAPTER 0520-02-03
EDUCATOR LICENSURE**

0520-02-03-.09 DENIAL, FORMAL REPRIMAND, SUSPENSION AND REVOCATION.

(1) Definitions and Examples:

- (a) Conviction – Means a judgment entered by a court upon a plea of guilty, a plea of nolo contendere, a finding of guilt by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. Conviction includes, but is not limited to, a conviction by a federal court or military tribunal, including a court-martial conducted by the armed forces of the United States, and a conviction, whether upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, in any other state of the United States, other jurisdiction, or other country. Conviction also includes a plea taken in conjunction with Tennessee Code Annotated (“T.C.A.”) § 40-35-313 or its equivalent in any other jurisdiction.
- (b) Dismissed— With regard to employment action taken by an employing public or non-public school or school system, dismissed means the termination of a licensed educator’s employment with the school or school system or non-renewal of the educator’s contract.
- (c) Formal Reprimand – A less harsh licensing action than the suspension, revocation, or denial of a license, which admonishes an educator for certain conduct under this rule. An educator who has been reprimanded by the Board shall receive a letter from the State Board of Education, which shall become part of the educator’s state record and may become part of the educator’s local record, indicating that the inappropriate conduct is discouraged and shall be subject to further disciplinary action if repeated.
- (d) Inappropriate Communication (Explicit) – Any communication between an educator and a student that describes, represents, or alludes to sexual activity or any other illegal activity. This includes, but is not limited to, communication defined as sexual misconduct under T.C.A. § 49-5-417, communication defined as sexually related behavior under T.C.A. § 49-5-1003(b)(15), and communication that would encourage illegal activity such as encouraging the use or purchase of illegal substances. This shall not be construed to prevent an educator from communication regarding sexual or illegal activities for educational purposes such as in teaching family-life curriculum pursuant to T.C.A. §§ 49-6-1307 et seq. or drug abuse resistance education pursuant to T.C.A. § 49-1-402 or to prevent an educator from upholding the educator’s obligation as a mandatory reporter of child abuse, neglect, or child sexual abuse.
- (e) Inappropriate Communication (Non-Explicit) – Any communication between an educator and a student that is beyond the scope of the educator’s professional responsibilities. Examples of such non-explicit inappropriate communications include, but are not limited to, those communications that discuss the educator’s or student’s past or current romantic relationships; those that include the use of profanities or obscene language; those that are harassing, intimidating, or bullying; those that attempt to establish an inappropriate personal relationship with a student; and those that are related to personal or confidential information regarding another school staff member or student.
- (f) Inappropriate Physical Contact – Unlawful and/or unjustified physical contact with a student. Examples of such inappropriate physical contact include, but are not limited to, sexual contact, physical altercations, horseplay, tickling, improper use of corporal punishment, and rough housing.

- (g) Inappropriate Physical Contact With Harm – Inappropriate physical contact as described in subparagraph (f) above that results in physical or mental harm.
 - (h) Negligence – Failure to exercise the care toward others that a reasonable or prudent person would exercise under the circumstances or taking action that a reasonable person would not. Examples of such negligence include, but are not limited to, situations that expose students to mental or physical harm or the potential for mental or physical harm such as leaving dangerous items in the classroom or in areas easily accessible to students and leaving students unattended.
 - (i) Non-compliance with security guidelines for TCAP or successor test – Any person found to have not followed security guidelines for administration of the TCAP or a successor test, including but not limited to, making or distributing unauthorized photos or copies of the test, altering a grade or answer sheet of student responses or answers, providing copies or photos of answers or test questions to students or others, and otherwise compromising the integrity of the testing process (which includes, but is not limited to, providing unauthorized assistance to students during administration of testing).
 - (j) Official School Business – Any activity undertaken by an educator in an official capacity and in connection with the educator’s employment. Examples include, but are not limited to, conferences, professional development, trainings, and seminars.
 - (k) Other Good Cause – Conduct that calls into question the fitness of an educator to hold a license including, but not limited to, violation of any provision in the Teacher Code of Ethics as contained in T.C.A. §§ 49- 5-1001, et seq.
 - (l) Permanent Revocation – The nullification of an educator’s license without eligibility for future restoration. Permanent revocation shall also include the voluntary permanent surrender of an educator’s license without eligibility for future restoration.
 - (m) School Premises – Any real property and/or land owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.
 - (n) School Property – Any property owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.
 - (o) School Related Activity – Any activity in which a student participates, including but not limited to classes, meetings, extracurricular activities, clubs, athletics, and field trips, sponsored by the school, state educational agency, or local educational agency.
 - (p) Suspension – With regard to licensure action by the State Board, suspension means the nullification of an educator’s license for a predetermined term, after which the license is reinstated. Reinstatement may be subject to the completion of terms and conditions contained in the order of suspension. With regard to employment action taken by a public or non-public school or school system, suspension means the temporary removal of an educator from his or her regular duties with or without pay. Suspension includes the placement of an educator on administrative leave pending investigation into allegations of misconduct.
 - (q) Revocation – The nullification of an educator’s license for a period of at least five (5) years, after which an educator may petition the State Board for restoration under paragraph (6)(b). Revocation shall also include the voluntary surrender of an educator’s license for a period of at least five (5) years, after which an educator may petition the State Board for restoration under paragraph (6)(b).
- (2) Notification to the State Board of Education – It is the responsibility of the Director of Schools of the employing public or non-public school or school system or Director of a public charter school

("Director") to inform the State Board of licensed educators who have been suspended or dismissed, or who have resigned, following allegations of misconduct, including sexual misconduct, which, if substantiated, would warrant consideration for license suspension, revocation, or formal reprimand under paragraphs (3), (4), or (5). The report shall be submitted within thirty (30) days of the suspension, dismissal, or resignation. The Director shall also report felony convictions and convictions for any offense listed in T.C.A. § 39-13-532, § 39-17-417, and § 40-35-501(i)(2) of licensed educators within thirty (30) days of receiving knowledge of the conviction. Schools and school systems have a duty to respond to State Board inquiries and provide to the State Board, except when prohibited by law, any available documentation requested concerning the allegations contained in the notice. If the State Board receives information regarding a licensed educator who was not reported as described in this paragraph, and such information, if substantiated, would warrant licensure action, the State Board reserves the right to place a hold on an educator's license file in the state's educator licensure database (TN Compass).

- (3) The State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for any of the following reasons:
- (a) Conviction of a felony;
 - (b) Conviction of possession of illegal drugs;
 - (c) Being on school premises, school property, at a school-related activity involving students, or on official school business, while possessing, consuming, or under the influence of alcohol or illegal drugs;
 - (d) Falsification or altering of a license or documentation required for licensure;
 - (e) Inappropriate physical contact with a student;
 - (f) Failure to report as required under paragraph (2);
 - (g) Noncompliance with security guidelines for TCAP or successor test;
 - (h) Denial, suspension, or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension, or revocation under this rule;
 - (i) Other good cause as defined in subparagraph (1)(k) of this rule; or
 - (j) Any offense contained in paragraphs (4) and/or (5) of this rule.
- (4) Automatic Revocation and Suspension
- (a) Automatic Revocation of License – The State Board of Education shall automatically revoke or automatically permanently revoke, without the right to a hearing, the license of an educator for the following:
 - 1. Upon receiving verification of the identity of the licensed educator together with a certified copy of a criminal record showing that the licensed educator has been convicted of any the following offenses listed at T.C.A. § 39-13-532, § 39-17-417, or § 40-35-501(i)(2) (including conviction for the same or similar offense in any jurisdiction). Educators whose conviction includes a plea taken in conjunction with T.C.A. § 40-35-313 or its equivalent in any other jurisdiction shall not be subject to automatic permanent revocation.
 - 2. Upon receiving verification of the identity of the licensed educator together with a report from the Department of Children's Services (DCS) stating that DCS has found the

educator to have been a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect as stated in T.C.A. § 49-5-413.

- (b) The Board shall notify persons whose licenses are subject to automatic revocation at least thirty (30) days prior to the board meeting at which such revocation shall occur.
- (c) Automatic Suspension of License – The State Board of Education shall automatically suspend, without the right to a hearing, the license of an educator upon receiving notice from the responsible state agency of the identity of the licensed educator together with notification that the educator has committed any of the following offenses:
 - 1. Default on a student loan pursuant to T.C.A. § 49-5-108(d)(2), provided, however, pursuant to T.C.A. § 49-5-108(d)(2)(B), the State Board of Education may elect not to suspend, deny, or revoke the license or certificate of a teacher if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency; or
 - 2. Failure to comply with an order of support for alimony or child support, pursuant to T.C.A. § 36-5-706.
 - 3. The Board shall notify persons whose licenses are subject to automatic suspension at least thirty (30) days prior to the board meeting at which such suspension shall occur.

(5) Disciplinary Actions

- (a) For the following categories of offenses, the State Board of Education shall impose uniform disciplinary action upon its findings as detailed below:
 - 1. Conviction of a felony
 - (i) Upon receiving notification that an individual has been convicted of a felony, the educator shall be subject to disciplinary action within the range of a suspension of not less than two (2) years up to and including permanent revocation of the convicted individual's educator license.
 - 2. Use, possession, or under the influence of alcohol or illegal substances
 - (i) An individual holding an educator's license who is found to be in possession of, consuming, or under the influence of alcohol, or illegal substances while on school premises or property when children are present shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.
 - (ii) An individual holding an educator's license who is found to be in possession of, consuming, or under the influence of alcohol, or illegal substances while on school premises or property without children present shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.
 - (iii) An individual holding an educator's license who is found to be in possession of, consuming, or under the influence of alcohol or illegal substances while not on school premises or property, but while participating in school related activities with children present, shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.

- (iv) An individual holding an educator's license who is found to be in possession of, consuming, or under the influence of alcohol or illegal substances while not on school premises or property, but participating in school related activities without children present, shall be subject to a disciplinary action within the range of suspension for not less than six (6) months up to and including a two (2) year suspension.
3. Negligence in the commission of duties as an educator
- (i) An individual holding an educator's license who is found to be negligent in his or her commission of duties as an educator in such a manner that does not result in harm to a child, but presented the potential for physical or mental harm, shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a two (2) year suspension.
 - (ii) An individual holding an educator's license who is found to be negligent in their commission of duties as an educator in such a manner that results in harm to a child, shall be subject to a disciplinary action within the range of suspension for no less than one (1) year up to and including permanent revocation.
4. Noncompliance with security guidelines for TCAP or successor test
- (i) An individual holding an educator's license who is found to have been noncompliant with security guidelines for TCAP or successor test shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a suspension not to exceed two (2) years.
5. Unprofessionalism
- (i) An individual holding an educator's license who is found to have engaged in non-explicit inappropriate communication with a student shall be subject to a disciplinary action within the range of a suspension for no less than three (3) months up to and including revocation.
 - (ii) An individual holding an educator's license who is found to have engaged in inappropriate communication of an explicit nature with a student shall be subject to permanent revocation.
 - (iii) An individual holding an educator's license who is found to have inappropriately used school property shall be subject to a disciplinary action within the range of a suspension for no less than three (3) months up to and including revocation.
6. Inappropriate Physical Contact
- (i) An individual holding an educator's license who is found to have engaged in inappropriate physical contact with a student that does not result in harm or potential harm to the student shall be subject to a disciplinary action within the range of a formal reprimand up to and including suspension for two (2) years.
 - (ii) An individual holding an educator's license who is found to have engaged in inappropriate physical contact with a student that results in harm or potential harm to the student shall be subject to a disciplinary action within the range of a suspension for not less than two (2) years up to and including permanent revocation.
7. Falsification of Licensure Documentation – An individual holding an educator's license

who is found to have falsified licensure documentation shall be subject to a disciplinary action within the range of revocation or permanent revocation.

8. Violation of the Teacher Code of Ethics – An individual holding an educator’s license who is found to have violated the teacher code of ethics contained in T.C.A. Title 49, Chapter 5, Part 10 shall be subject to a disciplinary action within the range of a formal reprimand up to and including revocation.
 - (b) Similar offenses – Actions related or similar to the above-enumerated offenses in paragraphs (3) and (5)(a) shall carry recommended disciplinary action commensurate with the range established for the similar offense.
 - (c) Reasonable Force – Nothing in this part shall prevent an educator from exercising his or her lawful authority to use reasonable force when necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another person pursuant to T.C.A. § 49-6-4107.
 - (d) Repeated violations – Individuals holding an educator’s license who are subject to multiple disciplinary actions by the Board shall face disciplinary action in excess of the recommended ranges. A third violation, regardless of severity, shall be subject to a recommendation of revocation.
 - (e) Discipline Range – Nothing in this rule shall prohibit the State Board from imposing a disciplinary action outside of the uniform discipline range upon good cause shown in extraordinary circumstances.
 - (f) Eligibility for Employment during Review – A hold on an individual’s educator licensure database file (TN Compass) and the notation that an educator’s license is under review by the State Board does not prohibit a licensed educator from being employed by a school or school system, as that educator still has an active license.
- (6) Reinstatement or Restoration of a License
 - (a) Reinstatement
 1. An individual whose license has been suspended under paragraphs (3), (4), or (5) of this rule may have his or her educator license reinstated after the period of suspension has been completed, and, where applicable, the individual has presented proof of compliance with all terms prescribed by the State Board. Suspended licenses are subject to the expiration and renewal rules of the State Board. A suspended license may not be reinstated if an action has been taken or is pending against the educator’s license in another state.
 - (b) Restoration
 1. An individual whose license has been revoked under paragraphs (3), (4), or (5) of this rule may apply to the State Board to have the license restored upon application showing that the cause for revocation no longer exists and that the person has complied with any terms imposed in the order of revocation. To show the cause no longer exists, the individual shall show why the license should be restored despite the misconduct that resulted in the individual’s license being revoked. The individual shall provide evidence of rehabilitation and fitness to perform the duties authorized and required by the license sought. In the case of a felony conviction, the individual shall also show that any sentence imposed, including any pre-trial diversion or probationary period, has been completed. Application for such restoration shall be made to State Board counsel.

2. An individual whose license has been revoked under paragraphs (3), (4), or (5) of this rule shall not be eligible to reapply for licensure for a period of no less than five (5) years from the time at which the license was initially revoked. An individual whose license has been permanently revoked shall not be eligible to reapply for licensure.
 3. In any deliberation by the Board of Education to restore a license that has been revoked, there shall be a rebuttable presumption that an individual whose license has been revoked is unfit for licensure. Nothing in this section is intended to guarantee restoration of a license.
 4. Restoration of an educator license is considered on a case-by-case basis. The burden of proof rests with the individual applying for restoration of the license. An application for restoration may be denied if an action against the individual's educator license has been taken or is pending in another state.
- (7) Denial of a License
- (a) An individual who has been denied an educator license may reapply for a license at any point after denial provided the individual has complied with any terms imposed in the order of denial. If the individual indicates an affirmative answer on the personal affirmation section of the application for a Tennessee educator license, the individual shall show why the license should be issued despite the individual's affirmative answers. Issuance of a license is considered on a case-by-case basis and the burden of proof rests with the individual applying for the license. In the case of a felony conviction, the individual shall also show that any sentence imposed, including any pre-trial diversion or probationary period has been completed. An application for issuance of a license may be denied if an action against the individual's license has been taken or is pending in another state.
 - (b) Presumptive Denial – There shall be a rebuttable presumption that any individual applying for an educator license who has committed an offense that would subject him or her to revocation or suspension shall be presumed ineligible to receive a Tennessee educator license.
- (8) Scope of Disciplinary Action – An individual whose license has been denied, suspended, or revoked may not serve as a volunteer or be employed, directly or indirectly, as an educator, paraprofessional, aide, substitute teacher, or in any other position during the period of the denial, suspension, or revocation.
- (9) Duty to Maintain Updated Contact Information - Individuals have a duty to maintain up-to-date contact information, including but not limited to address, e-mail address, and phone number, in the state of Tennessee's educator licensure database (TN Compass). Any changes to the educator's contact information shall be updated by the educator in the educator license database (TN Compass) within thirty (30) days of the change.
- (10) Case Review - Board counsel shall present an initial recommendation for licensure action or non-action to a case review committee consisting of Board staff who shall review the entire file to determine whether disciplinary action should be recommended to the Board against an individual's license, or whether to issue, renew, restore, or reinstate an individual's license. The case review committee may also determine that additional investigation is necessary before a recommendation can be made.
- (11) Denial of an Initial Application or Application to Reactivate an Expired License - If the case review committee recommends that the Board deny an initial application for a Tennessee educator license or an application to reactivate an expired license under paragraphs (3), (5), or (7) of this rule, said denial will be presented to the Board at a regularly scheduled Board meeting. Board counsel will notify individuals of the denial recommendation and the Board's policy regarding requests to speak at Board meetings.

- (12) Proposed Action and Due Process Rights– If the case review committee recommends that the Board formally reprimand, suspend, or revoke an individual’s license or deny the renewal of an individual’s license under paragraphs (3) or (5) of this rule, or that the Board deny restoration under paragraph (6), Board counsel shall send written notice to the individual using the individual’s contact information in the State of Tennessee’s educator licensure database (TN Compass) regarding the proposed licensure action and that they are entitled to request that a hearing be conducted as a contested case under the Uniform Administrative Procedures Act (“UAPA”), T.C.A. §§ 4-5-301, *et seq.*, and the individual’s right to show compliance pursuant to T.C.A. § 4-5-320(c). Board counsel may also include a proposed consent order to be agreed to by the individual. Should the individual fail to request a hearing within the specified time period or take action with regard to the consent order, a contested case proceeding shall be instituted against him or her, of which the individual shall receive separate notice directing him or her to appear at a specified time and place for a hearing to be held before an Administrative Law Judge (“ALJ”) pursuant to the UAPA, T.C.A. §§ 4-5-301, *et seq.* Should the individual fail to appear, a default judgment may be taken against his or her license. If the individual requests a hearing, then Board counsel schedules a hearing to be conducted as a contested case proceeding with an ALJ pursuant to the UAPA. The Board or the individual may appeal the Initial Order of the ALJ to the Board or to Chancery Court in Davidson County, Tennessee, pursuant to the UAPA, or seek reconsideration from the ALJ.
- (13) Consent Order/Action - If the individual consents to the proposed licensure action, Board counsel shall present the consent order to the Board for approval. The Board is not bound by the recommendation contained in the consent order. The Board may vote to approve the consent order, to impose less harsh disciplinary action, or to pull the item from the agenda for reconsideration of a harsher disciplinary action. If a harsher disciplinary action is recommended by the Board, Board counsel shall send a new notice to the individual regarding his or her right to request a hearing pursuant to paragraph twelve (12) of this rule.
- (14) Discipline Schedule – The following chart outlines the least and greatest disciplinary ranges for the offenses listed as indicated by the shaded squares, provided that the Board may impose discipline outside of the stated range as provided in paragraph (5)(e) of this rule.

	Letter of Formal Reprimand	Suspension of 3 months up to and including 6 months	Suspension of 6 months up to and including 1 Year	Suspension of 1 Year up to and including 18 Months	Suspension of 18 months up to and including 2 Years	Suspension of 2 years up to and including Revocation	Revocation	Permanent Revocation
Noncompliance with security guidelines								
Director of Schools Failure to Report								
Negligence w/o Harm or with potential for harm)								
Inappropriate Physical Contact w/o Harm								
Unprofessionalism - Inappropriate Communication (Non-Explicit)								
Unprofessionalism - Inappropriate Use of School Property								
Possession/Use/Under Influence - Off School Premises/Property w/o Children Present During School Related Activity								

Possession/Use/Under Influence - Off School Premises/Property w/ Children								
Possession/Use/Under Influence - On School Premises/Property w/o Children								
Possession/Use/Under Influence - On School Premises/Property w/ Children								
Violation of Teacher Code of Ethics								
Negligence w/ Harm								
Inappropriate Physical Contact with Harm								
Felony Conviction								
Falsification of Licensure Documentation								
Unprofessionalism - Inappropriate Communication (Explicit)								

Authority: T.C.A. §§ 4-5-320, 49-1-302, 49-1-607, 49-5-108, 49-5-413, and 49-5-417. **Administrative History:** Repeal and new rules filed December 18, 2014; effective March 18, 2015. A stay of the rules was filed January 28, 2015; new effective date June 1, 2015. Amendment filed May 29, 2015; effective August 27, 2015. Emergency rules filed August 27, 2015; effective through February 23, 2016. Repeal and new rules filed October 27, 2015; effective January 25, 2016. Emergency rule filed September 5, 2017; effective through March 4, 2018. Amendments filed December 5, 2017; effective March 5, 2018. Amendments filed February 3, 2020; effective May 3, 2020.



STATE OF TENNESSEE
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Initial Director's Report Regarding Licensed Teacher/Administrator

Pursuant to Tennessee State Board of Education Rule 0520-02-03-.09(2),

- LEAs (including local school districts and charter schools) submit reports of licensed educator misconduct via TN Compass: <https://tdoe.tncompass.org/Account/Login>; and
- Private schools submit reports of licensed educator misconduct via facsimile or mail.

LEA/Charter School/Private School Submitting Report: _____

Name of Teacher/Administrator: _____

Teacher/Administrator License #: _____ S.S. # _____

School: _____ Grade Level _____

Last known address and phone number: _____

Date of Initial Employment Action: _____

Allegations of misconduct, which, if substantiated, would warrant consideration for license suspension, revocation, or formal reprimand under State Board Rules (circle one):

1. Conviction of a felony;
2. DCS finding that educator substantiated a perpetrator of child abuse, severe child abuse, child sexual abuse or child neglect;
3. Conviction of possession of illegal drugs;
4. Being on school premises, at a school-related activity involving students, or on official school business, while possessing, consuming or under the influence of alcohol or illegal drugs;
5. Falsification or altering of a license or documentation required for licensure;
6. Denial, suspension or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension or revocation under State Board Rules;

7. Negligence in the commission of duties as educator that does not result in harm to student;
8. Negligence in the commission of duties as education that does result in harm to student;
9. Inappropriate communication with a student that is non-explicit;
10. Inappropriate communication with a student that is explicit;
11. Inappropriate use of school property;
12. Inappropriate physical contact with a student that does not result in harm;
13. Inappropriate physical contact with a student that does result in harm;
14. Non-compliance with security guidelines for TCAP or successor test; or
15. Other good cause. Conduct that calls into question the fitness of an educator to hold a license including, but not limited to, violation of any provision in the Teacher Code of Ethics as contained in T.C.A. § 49-5-1001, *et seq.*

Status of investigation(s):

- LEA: _____

- DCS: _____

- Law Enforcement (agency): _____

Further information may be obtained from the following people (include contact information, such as phone number and/or email address):

[Director Signature]

[Date]

[Director's Printed Name]



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Final Director's Report Regarding Teacher/Administrator with Hold on License

Pursuant to Tennessee State Board of Education Rule 0520-02-03-.09(2),

- LEAs (including local school districts and charter schools) submit reports of licensed educator misconduct via TN Compass: <https://tdoe.tncompass.org/Account/Login>; and
- Private schools submit reports of licensed educator misconduct via facsimile or mail.

LEA/Charter School/Private School Submitting Report: _____

Name of Teacher/Administrator: _____

Teacher/Administrator License #: _____

Last Known Address: _____

Date of Final employment action: _____

Nature of final employment action (circle one): Suspension | Termination (including non-renewal) | Resignation | Retirement | Reinstated to work/classroom

Details (include specific details i.e. how many days suspended, returned to classroom, date terminated, non-renewal, etc. and **attach the LEAs investigative file**):

Status of Investigation(s):

- DCS (include information regarding DCS investigator/case manager):

- Law Enforcement (include information regarding investigating agency, including investigator's contact information and result of investigation):

Further information may be obtained from (include contact information):

[Director Signature]

[Date]

[Director's Printed Name]