

License Denial, Suspension, Revocation and Restoration

The Background:

Denial, Suspension or Revocation:

Pursuant to State Board of Education Rule 0520-2-4-.01(9)(b):

The State Board of Education may revoke, suspend or refuse to issue or renew a license for the following reasons:

1. Conviction of a felony,
2. Conviction of possession of narcotics,
3. Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing or consuming alcohol or illegal drugs,
4. Falsification or alteration of a license or documentation required for licensure,
5. Denial, suspension or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension or revocation under this rule, or
6. Other good cause. Other good cause shall be construed to include noncompliance with security guidelines for TCAP or successor tests pursuant to T.C.A. § 49-1-607, default on a student loan pursuant to T.C.A. § 49-5-108(d)(2) or failure to report under part (e).

For purposes of this part (b), “conviction” includes conviction on a plea of guilty, a plea of nolo contendere or an order granting pre-trial or judicial diversion.

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.

The Master Plan Connection:

This item supports the Board’s Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board’s discretion.

The Recommendation:

Board action is required. Counsel to the Board recommends approval of the attached orders imposing the discipline noted below.

- A. Bearden, Stephen Michael- denial
- B. Bryant, Kimberly A.- revocation
- C. Jones, Erin K.- suspension, one (1) year, with contingency
- D. Kelley, Blake L.- revocation
- E. Kinsey, Charles Scott- revocation, concurrent
- F. Kruithof, Natasha – suspension, six (6) months
- G. Magill, Mark A.- revocation
- H. Nichols, Barbara- suspension, one (1) year, with contingency
- I. Turner, Abby G.- suspension, one (1) year, with contingency
- J. Wayne, Rodney L.- revocation, concurrent
- K. Yax, Jeremy- suspension, two (2) years, with contingency

**Stephen Michael Bearden
Denial**

The Background:

Allegation: Mr. Bearden voluntarily surrendered his Georgia teaching license for engaging in misconduct.

Status: Respondent was notified by certified mail of the Board's intent to deny his license application based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

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

The Board staff review committee recommends denial of Respondent's application for a TN teaching license.

**Kimberly A. Bryant
Revocation**

The Background:

Allegation: Ms. Bryant was convicted of child abuse and indicated as a perpetrator of child abuse by the TN Department of Children's Services.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. Through counsel, Respondent voluntarily surrendered her license.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends revocation of Respondent's license.

Erin K. Jones
Suspension, one (1) year, with contingency

The Background:

Allegation: Ms. Jones was suspended from Knox County Schools following her incarceration for violating probation and driving under the influence of alcohol.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license based upon these findings, and of her right to a hearing.

The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends suspension for one (1) year with reinstatement contingent upon proof of rehabilitation or evaluation by a health care provider and completion of any recommended steps.

**Blake Kelley
Revocation**

The Background:

Allegation: Mr. Kelley was indicated as a perpetrator of child abuse by the TN Department of Children's Services.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent requested a hearing. At the conclusion of the hearing, the Administrative Law Judge, sitting on behalf of the Board ruled in favor of the Board, thereby revoking Respondent's license.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends revocation of Respondent's license.

**Charles Scott Kinsey
Revocation, concurrent**

The Background:

Allegation: Mr. Kinsey's license was revoked in Florida following his conviction of one count of Exposure of Sexual Organs.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

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

The Board staff review committee recommends revocation concurrent with the FL revocation.

Natasha R. Kruithof
Suspension, six (6) months

The Background:

Allegation: Ms. Kruithof was convicted of simple possession of marijuana and possession of drug paraphernalia.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license based upon these findings, and of her right to a hearing. Respondent requested a hearing. At the conclusion of the hearing, the Administrative Law Judge, sitting on behalf of the Board, ordered a six (6) month suspension of Respondent's license.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends adoption of the Administrative Law Judge's Initial Order, suspending Ms. Kruithof's license for six (6) months.

**Mark A. Magill
Revocation**

The Background:

Allegation: Mr. Magill pled guilty to the Manufacture of Methamphetamine.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's license.

Barbara Nichols
Suspension, one (1) year, with contingency

The Background:

Allegation: Ms. Nichols resigned from Lincoln County Schools following her consumption of alcohol during school hours.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license based upon these findings, and of her right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(3).

The Board staff review committee recommends suspension for one (1) year with reinstatement contingent upon proof of rehabilitation or evaluation by a health care provider and completion of any recommended steps.

Abby G. Turner
Suspension, one (1) year, with contingency

The Background:

Allegation: Ms. Turner was suspended with pay from Knox County Schools following suspicion that she was under the influence of alcohol. A blood alcohol test revealed that her blood alcohol level was .325.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license based upon these findings, and of her right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(3).

The Board staff review committee recommends suspension for one (1) year with reinstatement contingent upon proof of rehabilitation or evaluation by a health care provider and completion of any recommended steps.

Rodney L. Wayne
Revocation, concurrent

The Background:

Allegation: Mr. Wayne's license was revoked in Nebraska following his admission of theft from a concession stand in Nebraska. Georgia subsequently revoked his license based upon the Nebraska revocation.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

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

The Board staff review committee recommends revocation concurrent with the NE and GA revocations.

Jeremy Yax
Suspension, two (2) years

The Background:

Allegation: Ms. Turner was resigned from Metropolitan Nashville Public Schools following allegations of inappropriate conduct.

Status: Respondent was notified by certified mail of the Board's intent to suspend his license based upon these findings, and of his right to a hearing. Respondent, through counsel, agreed to the attached order.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends suspension of his teaching for two (2) years contingent upon satisfactory completion of boundary training.