
Educator Licensure Denial, Formal Reprimand, Suspension, and Revocation, Rule 0520-02-03-.09

The Background:

State Board Rule 0520-02-03-.09 governs the denial, formal reprimand, suspension, and revocation of a Tennessee educator license. Reporting and recording of any action taken by the State Board on an educator's license is coordinated with the Tennessee Department of Education's Office of Educator Licensure and Preparation (OELP) and local education agencies.

A rulemaking hearing was conducted on this rule on March 11, 2019, and additional written feedback was submitted to State Board staff after the hearing. State Board staff responded to written comments received from Metro Nashville Public Schools and the Tennessee Education Association and incorporated changes to the final reading version of the rule based on oral and written feedback given as part of the rulemaking hearing.

This final read item brings revisions to the rule including additional detail and clarification on State Board processes for educator discipline in alignment with the Uniform Administrative Procedures Act (UAPA) and additional information regarding educator due process rights under the UAPA.

Additional changes since first reading include:

- Pg.1: Added definition of dismissed
- Pg. 1: Added additional clarification to the definition of inappropriate communication (explicit)
- Pg. 2: Added examples to definition of negligence
- Pg. 2: Created new definition of non-compliance with security guidelines for TCAP administration consistent with T.C.A.
- Pg. 4: Moved offenses listed at T.C.A. § 49-5-413(d)(3) out of the automatic revocation section
- Pg. 5: Clarified the range of discipline for conviction of a felony to be two years up to permanent revocation
- Pg. 7: Clarified the range of discipline for violation of teacher code of ethics to be formal reprimand up to revocation
- Pg. 9: Added duty of educators to maintain updated contact information in TN Compass

The Recommendation:

The SBE staff recommends approval of this item on final reading.