

Denial, Formal Reprimand, Suspension, & Revocation Policy 5.501

The Background:

State Board Rule 0520-02-03-.09 governs the denial, formal reprimand, suspension, and revocation/surrender 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.

This final read item aligns to and supports the recently approved revisions to State Board Rule 0520-02-03-.09 including additional detail and clarification on State Board internal processes for educator discipline and due process rights of educators, updates to bring the policy in line with new state laws on director reporting obligations, and automatic suspensions for student loan defaults.

Since first reading, changes have been made to align with changes to the rule outlining the due process rights applicable to individuals whose application for a license or application to reactivate an expired license is proposed to be denied. Additional edits were made to clarify the ability of State Board attorneys to enter into settlement agreements pursuant to Personnel Policy 1.300.

Policy Justification:

T.C.A. § 4-5-230 requires that justification for adopting an item as a policy instead of a rule be submitted to the chair of the Government Operations Committee. This item is proposed to be adopted as a policy because it defines or explains the meaning of a statute or rule and/or concerns only the internal management of state government that does not affect private rights or privileges.

The Recommendation:

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