

License Reinstatement and License Restoration Policy 5.500

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 This policy governs the process by which an educator whose license has been revoked or suspended by the Board may apply for restoration, reinstatement, or reactivation. Additionally, the policy contains guidance on factors that may be considered by the case review committee and/or the State Board when considering restoration of a revoked license.

Changes to this policy have not been made since 2015, and it was targeted for review via the State Board's ongoing policy audit. This item aligns to and supports the revisions in the recently revised State Board Rule 0520-02-03-.09 including the restoration and reinstatement process and due process rights of educators.

Edits since first reading include clarifying the process applicable to educators whose license expired during the period of revocation and development of a restoration application included as an attachment to the policy.

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.