
License Denial, Formal Reprimand, Suspension, and Revocation Policy 5.501

The Background:

State Board Rule 0520-02-03-.09 governs the denial, formal reprimand, suspension, and revocation of a Tennessee educator license. Additionally, State Board Rule 0520-02-03-.12 governs the issuance of temporary permits to unlicensed individuals under certain limited circumstances.

This item contains revisions to the Denial, Formal Reprimand, Suspension and Revocation Policy to comply with statutory changes from the most recent legislative session. Specifically, Public Chapter 733 of 2020 gave the State Board power to issue subpoenas for the production of documents and videos related to an investigation being conducted by the State Board regarding license discipline. This update designates the Executive Director as the Chair's designee for issuing subpoenas pursuant to the new Public Chapter.

Additionally, this item contains revisions to complement changes to State Board Rule 0520-02-03-.09 and -.12 on final reading today regarding the process for review of temporary teaching permit applications and contains updates to terminology regarding licensure reviews. The item also provides additional clarity on reporting requirements for educators placed on administrative leave and adds language from the rule that administrative leave falls under the category of suspension.

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 acceptance of this item on first reading.