

**Caleb Bullock
Revocation, Automatic, Permanent**

The Background:

Prior History: N/A

Facts: Mr. Bullock, a middle school teacher, was suspended in August 2020 following allegations and investigation by the Gallatin Police Department for sexual battery by an authority figure. On May 20, 2021, Mr. Bullock pled guilty to five counts of sexual battery by an authority figure pursuant to T.C.A. 39-13-527. He received a four year prison sentence.

Applicable Rule

/Law: 0520-02-03-.09(1)(a) defines Conviction as a judgment entered by a court upon a plea of guilty, a plea of nolo contendere, a finding of guilt by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. Conviction includes, but is not limited to, a conviction by a federal court or military tribunal, including a court-martial conducted by the armed forces of the United States, and a conviction, whether upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, in any other state of the United States, other jurisdiction, or other country. Conviction also includes a plea taken in conjunction with Tennessee Code Annotated ("T.C.A.") § 40-35-313 or its equivalent in any other jurisdiction.

0520-02-03-.09(1)(f) defines Inappropriate Physical Contact as unlawful and/or unjustified physical contact with a student. Examples of such inappropriate physical contact include, but are not limited to, sexual contact, physical altercations, horseplay, tickling, improper use of corporal punishment, and rough housing.

0520-02-03-.09(1)(k) defines Good Cause as conduct that calls into question the fitness of an educator to hold a license including, but not limited to, violation of any provision in the Teacher Code of Ethics as contained in T.C.A. §§ 49- 5-1001, et seq.

0520-02-03-.09(1)(l) defines Permanent Revocation as the nullification of an educator's license without eligibility for future restoration. Permanent revocation shall also include the voluntary permanent surrender of an educator's license without eligibility for future restoration.

0520-02-03-.09(3)(a) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for conviction of a felony.

0520-02-03-.09(3)(i) provides the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for other good cause as defined in subparagraph (1)(k) of this rule.

0520-02-03-.09(3)(j) provides the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for any offense contained in paragraphs (4) and/or (5) of this rule.

T.C.A. § 49-5-417(a)(1)(l) provides that the state board of education shall automatically revoke the license of a licensed teacher or administrator without the right to a hearing upon receiving verification of the identity of the teacher or administrator together with a certified copy of a criminal record showing the teacher or school administrator has been convicted of a felony offense in title 39, chapter 13.

T.C.A. § 49-5-413(d)(3)(B)(i)(b) No employer, or employee of the employer to whom this subsection (d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present if the criminal history records check indicates that the employer or employee has ever been convicted of any of the following offenses, or the same or similar offense in any jurisdiction, including convictions for the solicitation of, attempt to commit, conspiracy, or acting as an accessory to any offense in title 39, chapter 13.

0520-02-03-.09(4)(a)(1)(ix) provides the State Board of Education shall automatically revoke or automatically permanently revoke, without the right to a hearing, the license of an educator upon receiving verification of the identity of the licensed educator together with a certified copy of a criminal record showing that the licensed educator has been convicted of a felony offense in TCA title 39, chapter 13.

0520-02-03-.09(5)(a)(1)(i) provides that upon receiving notification that an individual has been convicted of a felony, the educator shall be subject to disciplinary action within the range of a suspension of not less than two (2) years up to and including permanent revocation of the convicted individual's educator license.

0520-02-03-.09(5)(a)(8) provides an individual holding an educator's license who is found to have violated the teacher code of ethics contained in T.C.A. Title 49, Chapter 5, Part 10 shall be subject to a disciplinary action within the range of a formal reprimand up to and including revocation.

T.C.A. § 49-5-1003(b)(1) provides that an educator shall abide by all applicable federal and state laws.

Status: Respondent was notified by certified mail of the Board's intent to **automatically, permanently revoke** his educator license based upon these findings. Respondent received said notice.

Board Action Consistency Considerations:

May 2019 – Board approved the automatic, permanent revocation of an individual's license who was convicted of sexual battery.

May 2019 – Board approved the automatic, permanent revocation of an individual's license who was convicted of sexual battery by an authority figure.

February 2019 – Board approved the automatic, permanent revocation of an individual's license who was convicted of sexual battery by an authority figure.

The Recommendation:

The Board staff recommends the automatic, permanent revocation of Respondent's Tennessee educator license.