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**Terrance Parker Andrews  
Voluntary Surrender**

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**The Background:**

*Prior History:* N/A

*Facts:* Mr. Andrews was reported by Bristol City School District for allegations of inappropriate physical contact and inappropriate communication with students. The report was received from the parent of a student. Mr. Andrews was suspended pending the investigation. During the district's investigation, multiple students voiced similar and consistent allegations against Mr. Andrews, which included inappropriate communications and inappropriate physical contact. The students alleged that the comments and physical contact by Mr. Andrews made them uncomfortable.

Mr. Andrews resigned his position with Bristol City School District effective November 22, 2021.

*Applicable Law*

*/Rule:* T.C.A. § 49-5-1003(b)(1) provides that educators shall abide by all applicable federal and state laws.

T.C.A. § 49-5-1003(b)(14) provides that educators shall ensure interactions with the student take place in transparent and appropriate settings.

T.C.A. § 49-5-1003(b)(15) provides that educators shall not engage in any sexually related behavior with the student, whether verbal, written, physical, or electronic, with or without the student's consent. Sexually related behavior includes, but is not limited to, behaviors such as making sexual jokes or sexual remarks; engaging in sexual kidding, sexual teasing, or sexual innuendo; pressuring the student for dates or sexual favors; engaging in inappropriate physical touching, groping, or grabbing; kissing; rape; threatening physical harm; and committing sexual assault.

T.C.A. § 49-5-1003(19) provides that in fulfillment of this obligation to the student, an educator shall maintain a professional approach with the student at all times.

T.C.A. § 49-5-1004(c)(2) provides that educators shall conduct themselves in a manner that preserves the dignity and integrity of the education profession.

0520-02-03-.09(1)(d) defines explicit inappropriate communication as any communication between an educator and a student that describes, represents, or alludes

to sexual activity or any other illegal activity. This includes, but is not limited to, communication defined as sexual misconduct under T.C.A. § 49-5-417, communication defined as sexually related behavior under T.C.A. § 49-5-1003(b)(15), and communication that would encourage illegal activity such as encouraging the use or purchase of illegal substances. This shall not be construed to prevent an educator from communication regarding sexual or illegal activities for educational purposes such as in teaching family-life curriculum pursuant to T.C.A. §§ 49-6-1307 et seq. or drug abuse resistance education pursuant to T.C.A. § 49-1-402 or to prevent an educator from upholding the educator's obligation as a mandatory reporter of child abuse, neglect, or child sexual abuse.

0520-02-03-.09(1)(e) defines non-explicit inappropriate communication as any communication between an educator and a student that is beyond the scope of the educator's professional responsibilities. Examples of such non-explicit inappropriate communications include, but are not limited to, those communications that discuss the educator's or student's past or current romantic relationships; those that include the use of profanities or obscene language; those that are harassing, intimidating, or bullying; those that attempt to establish an inappropriate personal relationship with a student; and those that are related to personal or confidential information regarding another school staff member or student.

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)(h) defines negligence as failure to exercise the care toward others that a reasonable or prudent person would exercise under the circumstances or taking action that a reasonable person would not. Examples of such negligence include, but are not limited to, situations that expose students to mental or physical harm or the potential for mental or physical harm such as leaving dangerous items in the classroom or in areas easily accessible to students and leaving students unattended.

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(3)(e) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for inappropriate physical contact with a student.

0520-02-03-.09(3)(i) provides that 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 that 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.

0520-02-03-.09(5)(a)(5)(i) provides that an individual holding an educator's license who is found to have engaged in non- explicit inappropriate communication with a student shall be subject to a disciplinary action within the range of a suspension for no less than three (3) months up to and including revocation.

0520-02-03-.09(5)(a)(5)(ii) provides that an individual holding an educator's license who is found to have engaged in inappropriate communication of an explicit nature with a student shall be subject to permanent revocation.

0520-02-03-.09(5)(a)(6)(i) provides that an individual holding an educator's license who is found to have engaged in inappropriate physical contact with a student that does not result in harm or potential harm to the student shall be subject to a disciplinary action within the range of a formal reprimand up to and including suspension for two (2) years.

0520-02-03-.09(5)(a)(8) provides that 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.

*Status:* Respondent was notified by certified mail of the Board's intent to revoke Respondent's educator license based upon these findings. Respondent received said notice. Respondent agreed to voluntarily surrender his license and not reapply for restoration of his license for a period of five (5) years from the date of approval of the signed Consent Order.

#### **Board Action Consistency Considerations:**

July 2019 – Board approved the voluntary surrender/revocation of an educator's license for engaging in inappropriate communications with students. The surrender lasts for a period of five (5) years at which point the individual can apply for restoration at the Board's discretion.

May 2021 – Board approved the voluntary surrender/revocation of an educator's license for engaging in inappropriate communication with students. The surrender lasts for a period of five (5) years at which point the individual can apply for restoration at the Board's discretion.

#### **The Recommendation:**

The Board staff recommends that the Board approve the signed Consent Order submitted by the Respondent for the voluntary surrender of Respondent's license based upon the facts and applicable rule noted above.