

Sanford Graves
Suspension, Retroactive, One (1) Month

The Background:

Prior History: N/A

Facts: In March 2023, Mr. Graves was recorded, and admitted to, using a racially insensitive term in his classroom while repeating a student's statement during an argument. Mr. Graves resigned his position with the LEA effective April 20, 2023.

Applicable

Law/Rule: 0520-02-03-.09(1)(e) defines "Inappropriate Communication (Non-Explicit)" 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 communication 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)(k) defines "Other 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)(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(5)(a)(6)(i) provides 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 an including revocation.

0520-02-03-.09(5)(a)(9) 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.

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

Status: Respondent was notified by certified mail of the Board's intent to **suspend** Respondent's educator license based upon these findings. Respondent received said notice and agreed to the retroactive suspension of Respondent's license.

Board Action Consistency Considerations:

February 2020 – Board approved the three (3) month suspension of an educator's license for non-explicit inappropriate communication, in the form of a racially insensitive term and other unprofessional content, with students.

May 2022 – Board approved the formal reprimand of an educator's license for non-explicit inappropriate communication, in the form of a racially insensitive term, with students.

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The Recommendation:

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for the retroactive suspension of Respondent's license based upon the facts and applicable rule noted above.

THIS ITEM WAS VOTED ON TO BE REMOVED FROM THE AGENDA AND SENT BACK TO THE STAFF FOR MORE DELIBERATION