
Dorcea Shantell Brown
Formal Reprimand

The Background:

Prior History: N/A

Facts: Ms. Brown is a teacher with Memphis-Shelby County Schools who was reported for allegations of non-compliance with security guidelines for TCAP or successor test while serving as an instructional facilitator. Upon investigation, the district determined that Ms. Brown provided inappropriate assistance to at least one student during the TCAP exam. The student's test score was nullified for one section of the TCAP.

The district issued Ms. Brown a three (3) day suspension.

Applicable Law

/Rule: T.C.A. § 49-1-302(a)(5)(A)(iv) provides that the Board has the power to adopt rules and policies governing the discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates.

T.C.A. § § 49-1-607 provides that a person found to have violated security guidelines for administration of the Tennessee comprehensive assessment program (TCAP) test, or a successor test, including making or distributing unauthorized copies of the test, altering a grade or answer sheet, providing copies of answers or test questions, or otherwise compromising the integrity of the testing process must be placed on immediate suspension, and such actions constitute grounds for dismissal, including dismissal of tenured employees. Such actions are grounds for revocation of state licensure.

T.C.A. § 49-5-1004(c)(1) provides that in fulfillment of this obligation to the profession, educators shall administer state-mandated assessments fairly and ethically.

T.C.A. § 49-5-1003(b)(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)(i) defines non-compliance with security guidelines for TCAP or successor test as any person found to have not followed security guidelines for administration of the TCAP or a successor test, including but not limited to, making or distributing unauthorized photos or copies of the test, altering a grade or answer sheet of student responses or answers, providing copies or photos of answers or test questions

to students or others, and otherwise compromising the integrity of the testing process (which includes, but is not limited to, providing unauthorized assistance to students during administration of testing).

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

0520-02-03-.09(3)(g) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for noncompliance with security guidelines for TCAP or successor test.

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)(4)(i) provides that an individual holding an educator's license who is found to have been noncompliant with security guidelines for TCAP or successor test shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a suspension not to exceed 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 formally reprimand Respondent's educator license based upon these findings. Respondent received said notice. Respondent agreed to the formal reprimand of Respondent's license.

Board Action Consistency Considerations:

May 2020 – The Board agreed to formally reprimand an Educator's license for a test security breach.

The Recommendation:

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