
Curtis Gant
Suspension, Eight (8) Years Concurrent with Probation, and Professional Development

The Background:

Prior History: N/A

Facts: Mr. Gant misappropriated funds owned by the Houston County Education Association. Mr. Gant was convicted of theft of property with a value of at least \$60,000 pursuant to T.C.A. § 39-14-103, a Class B Felony. Mr. Gant was sentenced to eight (8) years of supervised probation beginning October 7, 2022 and ending October 7, 2030. He is also required to pay court-ordered restitution.

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)(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)(n) defines School Property as any property owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.

0520-02-03.09(1)(p) defines Suspension as the nullification of an educator's license for a predetermined term, after which the license may be reinstated. Reinstatement may be subject to the completion of terms and conditions contained in the order of suspension.

0520-02-03-.09(3)(a) provides 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(5)(a)(1)(i) provides 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)(5)(iii) An individual holding an educator's license who is found to have inappropriately used school property 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)(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. § 49-5-1004(c)(12) provides educators 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** his educator license based upon these findings. Respondent received said notice and consented to the suspension.

Board Action Consistency Considerations:

October 2021 – Board approved the suspension of three (3) individuals' licenses for a period concurrent with their judicial probation.

February 2022 – Board approved the suspension of an individual's license for a period concurrent with their judicial probation.

May 2022 – Board approved the suspension of an individual's license for a period concurrent with their judicial probation.

February 2023 – Board approved the suspension of an individual's license for a period concurrent with their judicial probation.

The Recommendation:

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for an eight (8) year suspension of Respondent's license, concurrent with his criminal probation and with professional development based upon the facts and applicable rule noted above.