

**Donald Matthew Patterson**  
**Suspension, One (1) Year and Seven (7) Months, Retroactive with Professional Development**

---

**The Background:**

*Prior History:* N/A

*Facts:* Mr. Patterson was reported by Loudon County School District for initiating non-explicit inappropriate communication with female students. The district's investigation confirmed that Mr. Patterson did send multiple female students non-explicit messages regarding matters not related to school. Mr. Patterson resigned from his position at Loudon County Schools following the investigation.

*Applicable Law  
/Rule:*

T.C.A. § 49-1-302(a)(5)(A)(i) provides that the Board has the power to adopt rules and policies governing the qualifications, requirements and standards of and provide the licenses and certificates for all public school teachers, principals, assistant principals, supervisors and directors of schools.

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.

Tenn. Code Ann. § 49-5-1003(b)(14) provides that in fulfillment of this obligation to the student, an educator shall ensure interactions with the student take place in transparent and appropriate settings.

Tenn. Code Ann. § 49-5-1003(b)(15) provides that in fulfillment of this obligation to the student, an educator 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.

Tenn. Code Ann. § 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.

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 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)(h) defines Negligence as a 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 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)(3)(i) provides that an individual holding an educator's license who is found to be negligent in his or her commission of duties as an educator in such a manner that does not result in harm to a child, but presented the potential for physical or mental harm, shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a two (2) year suspension

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)(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 **suspend** Respondent's educator license based upon these findings. Respondent received said notice and agreed to the suspension of Respondent's license.

**Board Action Consistency Considerations:**

July 2019 – The Board approved the two (2) year suspension of an educator’s license and required professional development for having multiple non-explicit communications with students that were outside the scope of the educator’s professional relationship.

May 2021 – The Board approved the two (2) year suspension of an educator’s license and required professional development for having multiple non-explicit communications with students that were outside the scope of the educator’s professional relationship.

October 2022 – The Board voted to approve the six (6) month suspension and required professional development of an educator’s license for initiating numerous inappropriate non-explicit communications with a student via social media that were outside the scope of the educator’s professional relationship.

**The Recommendation:**

Board counsel recommends that the Board approve the signed Consent Order submitted by Respondent for a one (1) year seven (7) month suspension of Respondent’s license, beginning retroactively from the date of resignation from the district, with professional development based upon the facts and applicable rule noted above.