
Ruth Roten
Suspension, 3-Month Retroactive with Proof of Professional Development

The Background:

Prior History: N/A

Facts: While addressing student behavior, Ms. Roten inappropriately restrained a student's movement on multiple occasions.

Applicable Law

/Rule: 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, improper restraint or isolation of a student receiving special education services, and rough housing."

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(1)(p) defines Suspension as, "With regard to licensure action by the State Board, suspension means the nullification of an educator's license for a predetermined term, after which the license may be reinstated. Reinstatement shall be subject to the completion of any terms and conditions contained in the order of suspension. With regard to employment action taken by a public or non-public school or school district, suspension means the temporary removal of an educator from his or her regular duties with or without pay. Suspension also includes the placement of an educator on administrative leave pending investigation into allegations of misconduct."

0520-02-03-.09(3)(e) provides, "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, "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)(7)(i) provides, "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)(9)(i) 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. § 49-5-1003(b)(7) provides, “An educator shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.”

T.C.A. § 49-5-1003(b)(8) provides “An educator shall make reasonable effort to protect the emotional well-being of the student.”

T.C.A. § 49-5-1003(b)(19) provides “An educator shall maintain a professional approach with the student at all times.”

T.C.A § 49-5-1004(c)(2) 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 retroactively suspend Respondent’s educator license and require professional development based upon these findings. Respondent received said notice and agreed to the retroactive suspension of Respondent’s license.

Board Action Consistency Considerations:

November 2024 – Board approved the three (3) month retroactive suspension with proof of professional development of an educator’s license for engaging in inappropriate physical contact with a student without harm, i.e., improper restraint

August 2024 – Board approved the three (3) month retroactive suspension with proof of professional development of an educator’s license for engaging in inappropriate physical contact with a student without harm, i.e., improper restraint

The Recommendation:

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for the retroactive three (3) month suspension of Respondent’s license, with reinstatement contingent upon Respondent’s completion of professional development, based upon the facts and applicable rule noted above.