

**Cheri Rushing**  
**Suspension, One (1) Month Retroactive with Professional Development**

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**The Background:**

*Prior History:* N/A

*Facts:* Ms. Rushing allegedly engaged in various instances of inappropriate communication with students and/or parents on multiple occasions.

*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)(i) 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 **retroactively 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:**

November 2023 – Board approved a one (1) month retroactive suspension with professional development of an educator's license for non-explicit inappropriate communication.

February 2020 – Board approved a three (3) month suspension of an educator's license for non-explicit inappropriate communication.

**The Recommendation:**

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for the retroactive one (1) month suspension of Respondent's license, with reinstatement contingent upon Respondent's completion of professional development, based upon the facts and applicable rules noted above.