
**Montreal Hudson
Denial**

The Background:

Prior History: N/A

Facts: On September 18, 2024, the Board received Mr. Hudson's application for a Tennessee educator license. Mr. Hudson reported having been convicted of, pleaded guilty to, or having charges pending for a felony. Mr. Hudson was subsequently found guilty of felonies in violation of 18 U.S.C. §§ 1349 and 1343, 18 U.S.C. §§ 1956(h) and 1956(a)(1), as well as Board Rule.

*Applicable Law
/Rule:*

0520-02-03-.09(1)(a) provides Conviction, "Means 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 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)(a) provides, "The State Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license or may refuse to issue a temporary permit for... [c]onviction 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 . . . [o]ther good cause as defined in subparagraph (1)(k) of this rule."

0520-02-03-.09(3)(j) provides, "The State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for . . . [a]ny offense contained in paragraphs (4) and/or (5) of this Rule."

0520-02-03-.09(5)(a)(1) provides, "Upon receiving notification that an individual has been convicted of a felony, the individual 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. that the State Board may impose disciplinary action for conviction of a felony."

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."

0520-02-03-.09(8)(a) provides, "If the individual indicates an affirmative answer on the personal affirmation section of the application for a Tennessee educator license, the individual shall show why the license should be issued despite the individual's affirmative answers. Issuance of a license is considered on a case-by-case basis and the burden of proof rests with the individual applying for the license. In the case of a felony conviction, the individual shall also show that any sentence imposed, including any pre-trial diversion or probationary period has been completed. An application for issuance of a license may be denied if an action against the individual's license has been taken or is pending in another state."

0520-02-03-.09(8)(b) provides, "There shall be a rebuttable presumption that any individual applying for an educator license who has committed an offense that would subject him or her to revocation or suspension shall be presumed ineligible to receive a Tennessee educator license."

Status: Respondent was notified by certified mail of the Board's intent to **deny** Respondent's educator license based upon these findings. Respondent was also provided Board policy with respect to requesting permission to speak on behalf of his Tennessee educator license application. Respondent received said notice.

Board Action Consistency Considerations: n/a

The Recommendation:

Board counsel recommends the Board deny Respondent's application for a Tennessee educator license based upon the facts and applicable rule noted above.