

**John Hart
Denial**

The Background:

Prior History: N/A

Facts: Educator pleaded guilty to domestic violence, false imprisonment, and interference with a 911 call. For each charge, he received probation for 11 months, 29 days, all suspended except 9 months and each to be served consecutively. He was also required to surrender all guns for life.

At the time of the incident, Mr. Hart was teaching on a permit set to expire on June 30, 2025.

Applicable Law

/Rule: SBE Rule 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."

SBE Rule 0520-02-03-.09(5)(a)(3)(i) provides that "An individual holding an educator's license who is found to be in possession of, consuming, or under the influence of alcohol, or illegal substances while on school premises or property when children are present shall be subject to a disciplinary action within the range of suspension for not less than one (1) year up to and including revocation.

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

SBE Rule 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."

SBE Rule 0520-02-03-.09(6)(a)(2) provides a "rebuttable presumption that any individual applying for a permit who has committed an offense that would subject him or her to discipline under this Rule if the individual had a license, shall be presumed ineligible to receive a permit."

0520-02-03-.09(6)(a)(4) provides, "If an individual teaching on a permit issued by the Commissioner is reported by a Director . . . and the misconduct, if substantiated, would

warrant disciplinary action under this Rule if the individual had a license, the State Board may direct the Commissioner not to issue a subsequent permit upon expiration of the individual's current permit pursuant to T.C.A. § 49-5-106(a)."

0520-03-02-.09(5)(a)(9) 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. § 49-5-1001 et seq. shall be subject to disciplinary action within the range of a formal reprimand up to and including revocation.

T.C.A § 49-5-1003(b)(1) provides educators shall abide by all applicable federal and state laws.

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

Board Action Consistency Considerations:

NA

The Recommendation:

Board counsel recommends the Board deny future applications for Respondent to obtain a Tennessee educator permit based upon the facts and applicable rules noted above.