
Educator Licensure - Denial, Formal Reprimand, Suspension, and Revocation Rule 0520-02-03-.09

The Background:

State Board Rule 0520-02-03-.09 governs the denial, formal reprimand, suspension, and revocation of a Tennessee educator license and denial of a temporary permit application.

Revisions to this Rule incorporate changes from new legislation passed by the general assembly during the 2023 legislative session. The new legislation removes the requirement that the Board automatically suspend an educator's license for defaulting on a student loan payment, and gives the Board authority to take the following actions:

- Automatically revoke a license without the right to a hearing pursuant to a court order, settlement agreement, or plea agreement requiring the educator to surrender his or her Tennessee educator license.
- Prohibit individuals with an expired license from applying for reactivation if the individual has committed conduct that would require the Board to automatically revoke their license if it were still active. The law also requires the Board to report these individuals to other states via the national clearinghouse.

The laws passed also clarify that individuals who fall under the following classifications are ineligible for an educator license or a temporary permit in Tennessee:

- An individual who has been substantiated by DCS or similar agency in another jurisdiction as having committed child abuse, severe child abuse, child sexual abuse, or child neglect.
- An individual who has been placed on the state's vulnerable person's registry, the state's sex offender registry, or on a similar registry in another jurisdiction.

Other edits were made to the rule to clarify the penalties for Directors who fail to report misconduct, in alignment with new legislation, and to clarify that applications for the restoration or reactivation of a revoked license must be reviewed and approved by the Board at a regularly scheduled meeting.

Non-substantive edits were made for clarity between first and final reading.

A rulemaking hearing was held on July 13, 2023. No public comments were submitted regarding this rule.

Connection to the [Master Plan](#):

This item supports the State Board's strategic focus on Teacher and Leaders outlined in the Master Plan by upholding the ethical standards of the teaching profession and ensuring students are provided the opportunity to learn in a safe environment.

The Recommendation:

The State Board staff recommends approval of this item on final reading.