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**License Denial, Formal Reprimand, Suspension, & Revocation, Rule 0520-02-03-.09**

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**The Background:**

State Board Rule 0520-02-03-.09 governs the denial, formal reprimand, suspension, and revocation of a Tennessee educator license. Reporting and recording of any action taken by the State Board on an educator's license is coordinated with the Tennessee Department of Education's Office of Educator Licensure and Preparation (OELP) and local education agencies.

This first read item brings revisions to the rule including additional detail and clarification on State Board processes for educator discipline in alignment with the Uniform Administrative Procedures Act (UAPA) and clarification regarding educator due process rights under the UAPA.

Revisions also include:

- Updates to bring the rule in line with new state laws on director reporting obligations and automatic suspensions for student loan defaults (pgs. 2-4).
- Adding "voluntary surrender" to the definition of revocation and permanent revocation (pg. 2).
- Clarifying the definition of suspension (pg. 2).
- Clarifying that the Board can take action against an educator for being under the influence of alcohol or illegal substances on school premises or property or while participating in school related activities (pg. 4).
- Additional detail on applying for restoration or reapplying for a license after it has been denied (pgs. 6-7).
- Adding failure to report to the discipline matrix (pg. 8).

A rulemaking hearing on this rule is scheduled for March 11, 2019.

**The Recommendation:**

The SBE staff recommends acceptance of this item on first reading.