

Austin Bowman
Voluntary Permanent Surrender

The Background:

Prior History: N/A

Facts: On March 31, 2021, Mr. Bowman was reported by Hamilton County Schools following allegations of an inappropriate relationship and communication with a former student who was 13 at the time of the incident. Recordings show numerous communications and messages made between Mr. Bowman and the former student on the Tik-Tok app. In those communications, Mr. Bowman engaged in discussions with the student regarding their respective sex lives, discussed romantic relationships, made comments about the student's body, discussed drugs and alcohol, and made comments about having sex with the student. Mr. Bowman resigned his position with Hamilton County Schools.

Applicable Rule: 0520-02-03-.09(1)(d) defines explicit inappropriate communication as any communication between an educator and a student that describes, represents, or alludes to sexual activity or any other illegal activity. This includes, but is not limited to, communication defined as sexual misconduct under T.C.A. § 49-5-417, communication defined as sexually related behavior under T.C.A. § 49-5-1003(b)(15), and communication that would encourage illegal activity such as encouraging the use or purchase of illegal substances. This shall not be construed to prevent an educator from communication regarding sexual or illegal activities for educational purposes such as in teaching family-life curriculum pursuant to T.C.A. §§ 49-6-1307 et seq. or drug abuse resistance education pursuant to T.C.A. § 49-1-402 or to prevent an educator from upholding the educator's obligation as a mandatory reporter of child abuse, neglect, or child sexual abuse.

0520-02-03-.09(1)(k) defines 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(1)(q) defines revocation as the nullification of an educator's license for a period of at least five (5) years, after which an educator may petition the State Board for restoration under paragraph (7)(b). Revocation also includes the voluntary surrender of an educator's license for a period of at least five (5) years, after which an educator may petition the State Board for restoration under paragraph (7)(b).

0520-02-03.09(3)(e) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for inappropriate physical contact.

0520-02-03.09(3)(i) provides that the Board 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(3)(j) provides that the Board 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.

0520-02-03-.09(5)(a)(5)(ii) provides that an individual holding an educator's license who is found to have engaged in explicit inappropriate communication with a student shall be subject to a disciplinary action of permanent revocation.

0520-02-03-.09(5)(a)(8) 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. § 49-5-1003(b)(8) provides that an educator shall make a reasonable effort to protect the emotional well-being of students.

T.C.A. § 49-5-1003(b)(14) provides that an educator shall ensure interactions with the student take place in transparent and appropriate settings.

T.C.A. § 49-5-1003(b)(15) provides that an educator shall not engage in any sexually related behavior with students, whether verbal, written, physical, or electronic, with or without a student's consent.

T.C.A. § 49-5-1003(b)(19) provides that an educator shall maintain a professional approach with the student at all times.

Status: Respondent was notified by certified mail of the Board's intent to permanently revoke his educator license based upon these findings and Respondent agreed to a **voluntary permanent surrender**. Respondent received said notice.

Board Action Consistency Considerations:

May 2019 – Board approved the voluntary surrender/revocation of an educator's license for having inappropriate communication with students via text messaging.

July 2019 – Board approved the voluntary surrender/revocation of an educator's license for engaging in inappropriate communications with students.

July 2020 – Board approved the voluntary surrender/revocation of an educator's license for engaging in inappropriate communications with students and after pleading guilty to contributing to delinquency of a minor.

May 2021 – Board approved the voluntary surrender/revocation of an educator’s license for engaging in non-explicit inappropriate communication with students.

October 2021 – Board approved the voluntary surrender/revocation of an educator’s license for engaging in inappropriate communications with students.

The Recommendation:

The Board staff recommends that the Board approve the signed Consent Order submitted by the Respondent based upon the facts and applicable rule noted above.