

**Crista White
Denial**

The Background:

Prior History: N/A

Facts: On August 29, 2021, Ms. White submitted an application for a Tennessee educator license. Ms. White answered “yes” to the personal affirmation statement regarding whether or not her license had been previously suspended or revoked. Due to the nature of the misconduct provided with the supplemental information submitted with Ms. White’s application, Tenn. Code Ann. § 49-5-417(a)(2), § 49-5-413(e)(1), and Board Rule 0520-02-03-.09(4)(a)(2) requires the denial of Ms. White’s license application.

Applicable Rule

/Law: Tenn. Code. Ann. § 49-5-417(a)(2), § 49-5-413(e)(1), and Board rule 0520-02-03-.09(4)(a) specify conduct that requires the State Board of Education to automatically revoke an educator’s license.

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(3)(h) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for a denial, formal reprimand, suspension, or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, formal reprimand, suspension, or revocation under this rule.

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 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 the rule.

0520-02-03-.09(5)(b) provides that actions related or similar to the above-enumerated offenses in paragraphs (3), (4), and (5)(a) shall carry recommended disciplinary action commensurate with the range established for the similar offense.

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 that 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 her application for a Tennessee educator license** based upon these findings. Respondent was also provided Board policy with respect to requesting permission to speak on her behalf regarding her Tennessee educator license application. Respondent received said notice.

Board Action Consistency Considerations:

N/A

The Recommendation:

The Board staff recommends that Ms. White's Tennessee educator licensure application be denied.