
License Formal Reprimand Denial, Suspension, Revocation and Restoration

The Background:

Formal Reprimand Denial, Suspension or Revocation:

Pursuant to State Board of Education Rule 0520-2-4-.01(9)(b):

The State Board of Education may revoke, suspend, reprimand formally or refuse to issue or renew a license for the following reasons:

1. Conviction of a felony,
2. Conviction of possession of narcotics,
3. Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing or consuming alcohol or illegal drugs,
4. Falsification or alteration of a license or documentation required for licensure,
5. Denial, suspension or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension or revocation under this rule, or
6. Other good cause. Other good cause shall be construed to include noncompliance with security guidelines for TCAP or successor tests pursuant to T.C.A. § 49-1-607, default on a student loan pursuant to T.C.A. § 49-5-108(d)(2) or failure to report under part (e).

For purposes of this part (b), “conviction” includes conviction on a plea of guilty, a plea of nolo contendere or an order granting pre-trial or judicial diversion.

A person whose license has been denied, suspended or revoked may not serve as a volunteer or be employed, directly or indirectly, as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of the denial, suspension or revocation.

Reinstatement:

Pursuant to State Board of Education Rule 0520-2-4-.01(9)(c):

A person whose license has been denied, suspended or revoked under parts (a) or (b) may apply to the Board to have the license issued or restored upon application showing that the cause for denial, suspension or revocation no longer exists and that the person has complied with any terms imposed in the order of denial or revocation. In the case of a felony conviction, before an application will be considered, the person must also show that any sentence imposed, including any pre-trial diversion or probationary period has

been completed. Application for such issuance or restoration shall be made to the Office of Teacher Licensing and shall be voted on at a regularly scheduled meeting of the State Board of Education. Nothing in this section is intended to guarantee restoration of a license.

The Recommendation:

Board action is required. Counsel to the Board recommends approval of the attached orders imposing the discipline noted below.

- A. Anderson, Ronald B.- Revocation, automatic
- B. Brown, Robert E.- Formal Reprimand
- C. Bryant, Kimberly Ann Atkinson- Denial of Reinstatement
- D. Depriest, Devri A.- Revocation
- E. Dunavant, Joseph Tillman- Revocation
- F. Farmer, Thomas A. – Revocation, concurrent, with contingency
- G. Fromby, Allegra- Revocation, concurrent
- H. Hamrick, Jason- Formal Reprimand
- I. Hathaway, Kacey Jo- Suspension, one (1) year, with contingency
- J. Hawkins, Marilou Morgan- Suspension, one (1) year, with contingency
- K. Hudson, Greg- Suspension, one (1) year
- L. Jennings, Marcus- Revocation
- M. Kelley, Earl Scott- Revocation, automatic
- N. Marchionda, Albert- Revocation, automatic
- O. Matthews, Andrea- Formal Reprimand
- P. Mitts, Jennifer- Suspension, one (1) year
- Q. Mora, Reynaldo- Revocation
- R. Phipps, Travis- Revocation, concurrent
- S. Raines, Ashley Lynn- Revocation
- T. Smith, Jill Hill- Revocation, concurrent
- U. Smith, Kelly A.- Revocation
- V. Swafford, James – Denial of Reinstatement
- W. Totty, Charles Adam- Denial, concurrent
- X. Wilburn, Arlen- Revocation
- Y. Yokely, Jarral- Denial of Reinstatement

Ronald B. Anderson
Revocation, Automatic

The Background:

Allegation: Mr. Anderson was found guilty of Sexual Battery by an Authority Figure in the Criminal Court of Davidson County.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings. The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(a).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Robert E. Brown
Formal Reprimand**

The Background:

Allegation: Mr. Brown's Maryland teaching license was suspended for breaching his employment contract.

Status: Respondent was notified by certified mail of the Board's intent to issue a formal reprimand based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation, suspension, or formal reprimand pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends formally reprimanding Respondent.

**Kimberly Ann Atkinson Bryant
Denial of Reinstatement**

The Background:

Allegation: On July 27, 2010, Ms. Bryant was indicated as a perpetrator of child abuse by the Tennessee Department of Children's Services. Ms. Bryant was also convicted of child abuse in the Criminal Court of Lewis County, TN on July 26, 2011.

Status: On July 27, 2012, Ms. Bryant's teaching license was revoked by the State Board of Education. Ms. Bryant remains indicated as a perpetrator of child abuse.

The Recommendation:

The Board staff review committee recommends denial of the reinstatement request. A petition from Ms. Bryant and supporting materials are attached.

**Devri Depriest
Revocation**

The Background:

Allegation: Ms. Depriest was found guilty of Statutory Rape in the Criminal Court of Sumner County.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Joseph Tillman Dunavant
Revocation**

The Background:

Allegation: Mr. Dunavant was found guilty of Statutory Rape in the Criminal Court of Giles County.

Status: Respondent was notified by certified mail of the Board's intent to issue revoke his license based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Allegra Fromby
Revocation, concurrent**

The Background:

Allegation: In April 2013, Ms. Fromby's California teaching license was revoked for having a drug-related criminal conviction.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends revocation of Respondent's teaching license concurrent with the CA revocation.

**Jason Hamrick
Formal Reprimand**

The Background:

Allegation: Mr. Hamrick received several reprimands from Hamilton County Schools for fraternizing with students outside of school.

Status: Respondent was notified by certified mail of the Board's intent to issue a formal reprimand based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation, suspension, or formal reprimand pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends formally reprimanding Respondent.

**Kacey Jo Hathaway
Suspension, One (1) Year, With Contingency**

The Background:

Allegation: Ms. Hathaway resigned from Dickson County Schools after sending inappropriate text messages to a student.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license, based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends suspension of Respondent's license for one (1) year with reinstatement contingent upon proof of successful completion of educator boundary training.

Marilou Morgan Hawkins
Suspension, One (1) Year, With Contingency

The Background:

Allegation: Ms. Hawkins resigned from Lewis County Schools after using corporal punishment on a non-verbal student, in violation of the child's behavioral intervention plan.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license, based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends suspension of Respondent's license for one (1) year with reinstatement contingent upon proof of successful completion of behavioral intervention training.

Greg Hudson
Suspension, One (1) Year

The Background:

Allegation: Mr. Hudson was suspended without pay for six days from Tipton County Schools for improperly depositing and using school funds.

Status: Respondent was notified by certified mail of the Board's intent to suspend his license, based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends suspension of Respondent's Tennessee administrator license for one (1) year.

**Marcus Jennings
Revocation**

The Background:

Allegation: Mr. Jennings falsified his university transcripts in order to obtain a Tennessee teaching license.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation, suspension, or formal reprimand pursuant to Board Rule 0520-2-4-.01(9)(b)(4).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Early Scott Kelley
Revocation, Automatic**

The Background:

Allegation: Mr. Kelley was convicted of Second Degree Murder in the Criminal Court of Davidson County.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license, based upon these findings.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(a).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Albert Marchionda
Revocation, Automatic**

The Background:

Allegation: Mr. Marchionda was convicted of Sexual Battery by an Authority Figure in the Criminal Court of Shelby County.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license, based upon these findings.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(a).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Andrea Matthews
Formal Reprimand**

The Background:

Allegation: Ms. Matthews was arrested on two separate occasions for Driving Under the Influence.

Status: Respondent was notified by certified mail of the Board's intent to issue a formal reprimand based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation, suspension, or formal reprimand pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends formally reprimanding Respondent.

Jennifer Mitts
Suspension, One (1) Year

The Background:

Allegation: Ms. Mitts resigned from Hamilton County Schools after repeatedly taking students off campus without parent permission.

Status: Respondent was notified by certified mail of the Board's intent to suspend her license, based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends suspension of Respondent's license for one (1) year.

**Reynaldo Mora
Revocation**

The Background:

Allegation: Mr. Mora resigned from Metropolitan Nashville Public Schools amid allegations that he had an inappropriate relationship with a student.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license, based upon these findings, and of his right to a hearing. Respondent, through counsel, voluntarily agreed to the revocation.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation, suspension, or formal reprimand pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Travis Phipps
Revocation, concurrent**

The Background:

Allegation: Mr. Phipps's Kentucky teaching license was revoked for having a substantiated case of sexual abuse against a child by the Kentucky Cabinet for Health and Family Services.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license, based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends revocation of Respondent's teaching license concurrent with the KY revocation.

**Ashley Lynn Raines
Revocation**

The Background:

Allegation: Ms. Raines pled guilty to Aggravated Statutory Rape in the Criminal Court of Giles County.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's teaching license.

Jill Hill Smith
Revocation, concurrent

The Background:

Allegation: Ms. Smith's West Virginia teaching license was revoked for drug-related misconduct.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings. The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends revocation of Respondent's teaching license concurrent with the WV revocation.

**Kelly A. Smith
Revocation**

The Background:

Allegation: Ms. Smith pled guilty to two counts of Solicitation of a Minor and one count of Aggravated Statutory Rape in the Criminal Court of Sumner County.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's teaching license.

James Swafford
Denial of Reinstatement

The Background:

Allegation: In December 2007, Mr. Swafford's North Carolina teaching license was revoked after allegations that he had engaged in misconduct with a student. Mr. Swafford admitted to writing intimate letters to a female student.

Status: On April 17, 2009, Mr. Swafford, through counsel, consented to the voluntary and permanent surrender of his Tennessee teaching license based upon the conduct which led to the revocation in North Carolina. Respondent's North Carolina teaching license is presently revoked.

The Recommendation:

The Board staff review committee recommends denial of the reinstatement request. A petition from Mr. Swafford and supporting materials are attached.

**Charles Adam Totty
Denial, concurrent**

The Background:

Allegation: Mr. Totty's Kentucky teaching license was revoked for having a sexual relationship with a student.

Status: Respondent was notified by certified mail of the Board's intent to deny his application, based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends denial of Respondent's teaching license concurrent with the KY revocation.

**Arlen Wilburn
Revocation**

The Background:

Allegation: Mr. Wilburn pled guilty to Aggravated Statutory Rape in the Criminal Court of Shelby County.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received notice but did not request a hearing.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-02-04-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's teaching license.

**Jarral Yokley
Denial of Reinstatement**

The Background:

Allegation: In 2006, Mr. Yokley was indicated as a perpetrator of child abuse by the Tennessee Department of Children's Services.

Status: On August 31, 2006, Mr. Yokley's teaching license was revoked by the State Board of Education. Mr. Yokley remains indicated as a perpetrator of child abuse.

The Recommendation:

The Board staff review committee recommends denial of the reinstatement request. A petition from Mr. Yokley and supporting materials are attached.