

**Triosha Webster
Revocation, Automatic**

The Background:

Prior History: N/A

Facts: Ms. Webster, an English teacher at Pearl Cohn High School, was suspended by Metro Nashville Public Schools after the district received documentation from the Department of Children’s Services that Ms. Webster had been substantiated as a perpetrator of child abuse or neglect. The Department of Children’s Services notified Ms. Webster of the substantiation and provided her due process rights, and Ms. Webster failed to exercise those rights. Ms. Webster submitted her resignation on October 22, 2018, after being notified of termination charges.

Applicable Rule: 0520-02-03-.09(1)(k) defines Other Good Cause as Conduct that calls into question the fitness of an educator to hold a license including, but not limited to, noncompliance with security guidelines for Tennessee Comprehensive Assessment Program (TCAP) or successor tests pursuant to T.C.A. § 49-1-607, failure to report licensure actions as required under paragraph (2), or 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 reinstatement.

0520-02-03-.09(3)(g) provides The State Board of Education 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)(h) 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 this rule.

0520-02-03-.09(4)(a)(2) provides The State Board of Education shall automatically revoke, without the right to a hearing, the license of an educator Upon receiving verification of the identity of the licensed educator together with a report from the Department of Children’s Services (DCS) stating that DCS has found the educator to have been a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect as stated in T.C.A. § 49-5-413.

0520-02-03-.09(4)(a)(3) provides The Board shall notify persons whose licenses are subject to automatic revocation at least thirty (30) days prior to the board meeting at which such revocation shall occur.

T.C.A. § 49-5-413(e)(1) provides The department of education, the state board of education, local boards of education, and LEAs are prohibited from hiring or retaining any individual whom the department of children's services has found to have committed child abuse, severe child abuse, child sexual abuse, or child neglect pursuant to title 37, except that no individual or employee shall be reported as a perpetrator by the department of children's services unless the department of children's services has determined that the due process rights of the individual or employee were either offered but not accepted, or were fully concluded, pursuant to the department of children's services rules and regulations and state and federal law.

Status: Respondent was notified by certified mail of the Board's intent to **automatically revoke** her educator license based upon these findings. Respondent received said notice.

Board Action Consistency Considerations:

NA

The Recommendation:

The Board staff recommends the automatic revocation of Respondent's Tennessee educator license.