

Amy Garcia
Revocation/Voluntary Surrender

The Background:

Prior History: N/A

Facts: On January 28, 2020, the Board received reports from national clearinghouse, the National Association of State Directors and Teacher Education and Certification (“NASDTEC”), regarding the voluntary surrender of all of Ms. Garcia’s teaching certifications in Virginia, Maryland, and Connecticut, and the denial of Ms. Garcia’s initial application for a teaching certificate in Georgia. These license actions were due to Ms. Garcia submitting false or different results for the American Sign Language Assessment with her Georgia application for a license in March 2019.

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)(d) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for falsification or altering of a license or documentation required for licensure.

0520-02-03-.09(3)(f) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for the denial, suspension, or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension, or revocation under this rule.

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(5)(a)(7) provides that an individual holding an educator's license who is found to have falsified licensure documentation shall be subject to a disciplinary action within the range of revocation or permanent revocation.

0520-02-03-.09(5)(a)(8) provides An individual holding an educator's license who is found to have violated the teacher code of ethics shall be subject to a disciplinary action within the range of a suspension for no less than one (1) year up to and including revocation.

T.C.A. § 49-5-1004(b)(1) and (b)(2) provides that an educator shall not deliberately make a false statement or fail to disclose a material fact related to competency and qualifications in an application for a professional position or misrepresent the educator's professional qualifications.

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

Board Action Consistency Considerations:

N/A

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.