

**Andrew Little**  
**Revocation, Automatic**

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**The Background:**

*Prior History:* N/A

*Facts:* In February 2020, Mr. Little, an educational assistant at Carter Middle School, was reported by Knox County Schools following allegations that he was having an inappropriate relationship with a student during the previous school year. On February 6, 2020, Mr. Little resigned from Knox County Schools. On October 26, 2020, an Order of Judicial Deferral was entered in Knox County, Tennessee Criminal/Circuit Court where Mr. Little pled guilty to attempt-solicitation of a minor-aggravated statutory rape pursuant to Tenn. Code Ann. § 39-13-528. As a result of his guilty plea, Mr. Little was given one (1) year probation from October 2020 to October 2021.

*Applicable Rule:* 0520-02-03-.09(1)(a) defines conviction as a judgment entered by a court upon a plea of guilty, a plea of nolo contendere, a finding of guilt by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. Conviction includes, but is not limited to, a conviction by a federal court or military tribunal, including a court-martial conducted by the armed forces of the United States, and a conviction, whether upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, in any other state of the United States, other jurisdiction, or other country. Conviction also includes a plea taken in conjunction with Tennessee Code Annotated ("T.C.A.") § 40-35-313 or its equivalent in any other jurisdiction.

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 Other 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 reinstatement.

0520-02-03-.09(3)(i) 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)(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 this rule.

0520-02-03-.09(4)(a)(1) 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 certified copy of a criminal record showing that the licensed educator has been convicted of any the following offenses listed at T.C.A. § 39-13-532, § 39-17-417, or § 40-35-501(i)(2) (including conviction for the same or similar offense in any jurisdiction). Educators whose conviction includes a plea taken in conjunction with T.C.A. § 40-35-313 or its equivalent in any other jurisdiction shall not be subject to automatic permanent revocation.

0520-02-03-.09(5)(a)(5)(ii) provides that an individual holding an educator's license who is found to have engaged in inappropriate communication of an explicit nature with a student shall be subject to 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 three (3) months up to and including revocation.

T.C.A. § 49-5-417 provides the State Board of Education shall automatically revoke the license of a licensed teacher or administrator without the right to a hearing upon receiving verification of the identity of the teacher or administrator together with a certified copy of a criminal record showing that the teacher or school administrator has been convicted of any offense listed at § 39-13-532, § 39-17-417, or § 40-35-501(i)(2).

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

*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:**

May 2019 – The Board ordered the automatic revocation of an educator's license for a conviction of an offense listed in T.C.A. § 39-17-417.

July 2019 – The Board ordered the automatic revocation of an educator’s license for a conviction of an offense listed in T.C.A. § 39-17-417.

**The Recommendation:**

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