

**Vicki Wenona Beerman  
Formal Reprimand**

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**The Background:**

*Prior History:* N/A

*Facts:* Ms. Beerman was reported by Hickman County Schools for using an ableist slur in referencing a student's behavior. Ms. Beerman admitted to making the comment regarding the student's behavior.

Ms. Beerman was suspended by Hickman County Schools for one (1) day without pay and returned to the classroom.

*Applicable Law*

*/Rule:* T.C.A. § 49-5-1003(9) provides that in fulfillment of this obligation to the student, an educator shall not intentionally expose the student to embarrassment or disparagement.

T.C.A. § 49-5-1003(19) provides that in fulfillment of this obligation to the student, an educator shall maintain a professional approach with the student at all times.

T.C.A. § 49-5-1004(c)(2) provides that educators shall conduct themselves in a manner that preserves the dignity and integrity of the education profession.

0520-02-03-.09(1)(e) defines Inappropriate Communication (Non-Explicit) as any communication between an educator and a student that is beyond the scope of the educator's professional responsibilities. Examples of such non-explicit inappropriate communications include, but are not limited to, those communications that discuss the educator's or student's past or current romantic relationships; those that include the use of profanities or obscene language; those that are harassing, intimidating, or bullying; those that attempt to establish an inappropriate personal relationship with a student; and those that are related to personal or confidential information regarding another school staff member or student.

0520-02-03-.09(1)(h) defines Negligence as a failure to exercise the care toward others that a reasonable or prudent person would exercise under the circumstances or taking action that a reasonable person would not. Examples of such negligence include, but are not limited to, situations that expose students to mental or physical harm or the potential for mental or physical harm such as leaving dangerous items in the classroom or in areas easily accessible to students and leaving students unattended.

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(3)(i) provides that 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 that 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)(3)(i) provides that the State Board of Education may impose disciplinary action on an individual holding an educator's license who is found to be negligent in his or her commission of duties as an educator in such a manner that does not result in harm to a child, but presented the potential for physical or mental harm, shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a two (2) year suspension.

0520-02-03-.09(5)(a)(5)(i) provides that the State Board of Education may impose disciplinary action on an individual holding an educator's license who is found to have engaged in non-explicit inappropriate communication with a student 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.

0520-02-03-.09(5)(a)(8) provides that an individual holding an educator's license who is found to have violated the teacher code of ethics contained in T.C.A. Title 49, Chapter 5, Part 10 shall be subject to a disciplinary action within the range of a formal reprimand up to and including revocation.

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

**Board Action Consistency Considerations:**

July 2020 – The Board approved the formal reprimand of an educator's license for inappropriate communication with a student where the educator made a socially insensitive, derogatory, and pejorative comment to a student.

**The Recommendation:**

The Board staff recommends that the Board approve the signed Consent Order submitted by the Respondent for the formal reprimand of Respondent's license based upon the facts and applicable rule noted above.