

Darius Taylor
Denial of Permit

The Background:

Prior History: N/A

Facts: On December 15, 2021, Mr. Taylor submitted an application for a Tennessee educator permit. Mr. Taylor answered “yes” to the personal affirmation statement regarding a previous felony conviction. Requests were made to Mr. Taylor to provide further detail and documentation relating to his affirmative response. No further verifiable information was submitted by Mr. Taylor.

Applicable Rule

/Law: 0520-02-03-.09(6)(a)(1) provides, in part, that if an individual indicates an affirmative answer on the personal affirmation section of the application for a permit, the individual shall show cause why the permit should be issued despite the individual’s affirmative answers.

0520-02-03-.09(6)(a)(2) provides that there shall be a rebuttable presumption that any individual applying for a permit who has committed an offense that would subject him or her to discipline under this rule if the individual had a license, shall be presumed ineligible to receive a permit.

T.C.A. § 49-5-1003(b)(1) provides that in fulfillment of this obligation to the student, an educator shall abide by all applicable federal and state laws.

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)(k) defines 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)(a) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for conviction of a felony.

0520-02-03-.09(3)(i) provides that the Board 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 the rule.

Status: Respondent was notified by certified mail of the Board's intent to **deny his application** for a Tennessee educator permit based upon these findings. Respondent was also provided Board policy with respect to requesting permission to speak on his behalf regarding his Tennessee educator permit application.

Board Action Consistency Considerations:

May 2022 – The Board voted to deny a permit renewal application for failure to provide information related to the affirmative response to a personal affirmation question.

The Recommendation:

The Board staff recommends that Mr. Taylor's Tennessee educator permit application be denied.