

**Henry Pickle  
Formal Reprimand**

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**The Background:**

*Prior History:* N/A

*Facts:* Mr. Pickle was recorded by a student referring to himself with a racially derogatory term. The incident occurred after he participated in a pick-up basketball game with students. Mr. Pickle admitted to the incident when questioned by school administrators.

*Applicable Rule:* T.C.A. § 49-5-1004(b)(19) provides that an educator shall maintain a professional approach with students at all times.

0520-02-03-.09(1)(c) defines Formal Reprimand as a less harsh licensing action than the suspension, revocation, or denial of a license, which admonishes an educator for certain conduct under this rule.

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.

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 that the Board 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)(5)(i) provides that 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.

0520-02-03-.09(5)(e) provides that nothing in this rule shall prohibit the State Board from imposing a disciplinary action outside of the uniform discipline range upon good cause shown in extraordinary circumstances.

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

**Board Action Consistency Considerations:**

July 2020 – Board approved the formal reprimand of an individual's license for an inappropriate communication with a student.

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**The Recommendation:**

The Board staff recommends that the Board approve the signed Consent Order submitted by Respondent based upon the facts and applicable rule noted above.