



Justin P. Wilson, Comptroller

January 10, 2018

Comptroller's Office Releases Report Examining Educator Sexual Misconduct Involving Students in Tennessee Schools

The Comptroller's Office of Research and Education Accountability (OREA) has released a new report on educator sexual misconduct with students in Tennessee.

In recent months, news outlets in Tennessee have reported on at least four separate cases involving school personnel and sexual abuse of students. In 2016, *USA Today* graded Tennessee with an F following a national investigation of educator sexual misconduct in schools that looked at each state's efforts to reduce the chances that an employee with a history of sexual misconduct could move from one school to another without repercussions.

OREA examined Tennessee's relevant laws, policies, and practices to determine whether there are areas of risk or weakness that could be improved. The analysis focuses on

- hiring practices for school personnel in Tennessee, including information about other states' practices;
- the state's records concerning teacher licenses and the actions taken against them for incidents of misconduct;
- a provision within the federal Every Student Succeeds Act that requires state or district action to prevent any teacher who has committed sexual misconduct involving a student from being able to seek employment in another school district;
- relevant state laws and school district policies, particularly about making school employees aware of expectations and responsibilities; and
- what children are taught in schools concerning personal safety.

Each section highlights the current landscape in Tennessee and examines how other states have approached these issues. The report also includes questions and policy options the Tennessee General Assembly may wish to consider. Recommendations for the State Board of Education and Department of Education are also included.

Among the report's findings are:

School districts in Tennessee bear the primary responsibility for ensuring that educators and other school personnel hired are cleared to work with children. Some other states place this responsibility at the state level when individuals seek teaching licenses.

Inconsistencies at the State Board of Education in organizing and maintaining records concerning teacher misconduct could negatively affect the accuracy of data in the database that tracks the status of teacher licenses. The State Board is already working to improve its method of recordkeeping but may lack adequate staffing and capacity.

Tennessee has not addressed a provision in the federal Every Student Succeeds Act, that requires actions by

states or districts to prevent teachers who have committed sexual misconduct involving students from obtaining employment in other school districts.

Tennessee law does not specifically define educator misconduct and district policies lack clarity about what constitutes educator sexual misconduct that involves students. In addition, Tennessee's teacher code of ethics, included in state law, does not refer to appropriate boundaries between educators and students.

It is not clear what school districts teach children in grades K-12 about personal safety.

The report is intended to provide legislators, K-12 administrators and stakeholders, and the public with a better understanding of Tennessee's laws, policies, and rules concerning the prevention and reporting of sexual abuse of children within the public school system.

The Comptroller's Office will present this report and other OREA reports to the Senate Education Committee at 3:00 p.m. on January 10, 2018. This will take place in the Cordell Hull Building's Senate Hearing Room 1.

To read the report, please visit OREA's website at <http://comptroller.tn.gov/orea>

Media contact: John Dunn, Public Information Officer, (615) 401-7755 or john.dunn@cot.tn.gov

