



SENATE BILL 2106

By White

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to discipline of an educator license.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-411, is amended by deleting subsection (b) and substituting instead the following:

(b) A teacher shall give the director of schools written notice of resignation at least thirty (30) days in advance of the effective date of the resignation.

SECTION 2. Tennessee Code Annotated, Section 49-5-1003(b), is amended by deleting subdivision (15) and substituting instead the following:

(15) Not engage in any conduct prohibited in § 49-5-1008;

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 5, Part 10, is amended by adding the following as a new section:

49-5-1008. Discipline of educator license for educators engaging in sexually related behavior with or toward a student or former student.

(a) An educator shall not engage in any sexually related behavior with a student or former student, with or without the student's or former student's consent, regardless of whether the behavior was verbal, nonverbal, written, visual, auditory, physical, virtual, digital, or electronic.

(b) For purposes of this section, sexually related behavior includes, but is not limited to, behaviors such as making sexual jokes or sexual remarks; engaging in sexual kidding, sexual teasing, or sexual innuendo; pressuring the student or former student for dates or sexual favors; engaging in inappropriate physical touching, groping, or

grabbing; kissing; threatening physical harm; and committing a sexual offense or violent sexual offense, as those terms are defined in § 40-39-202.

(c) As used in this section, "former student" means a minor or non-minor individual who graduated or withdrew from, ceased enrollment in, or completed the highest grade level offered by the LEA or school at which the educator taught; served as an administrator; performed any official duties as an educator; or was otherwise employed or served as a volunteer in a teaching or non-teaching role within the twelve-month-period immediately preceding the first instance of sexually related behavior reported for the educator to the state board of education.

(d) A violation of this section must be reported to the state board of education in accordance with its rules and constitutes a basis for educator license discipline.

SECTION 4. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 5. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 1 to HB1973

White
Signature of Sponsor

AMEND Senate Bill No. 2106*

House Bill No. 1973

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-5-411, is amended by deleting subsection (b) and substituting instead the following:

(b) A teacher shall give the director of schools written notice of resignation at least thirty (30) days in advance of the effective date of the resignation.

SECTION 2. Tennessee Code Annotated, Section 49-5-1003(b), is amended by deleting subdivision (15) and substituting instead the following:

(15) Not engage in any conduct prohibited in § 49-5-1008;

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 5, Part 10, is amended by adding the following as a new section:

49-5-1008. Discipline of educator license for educators engaging in sexually related behavior with or toward a student or former student.

(a)

(1) An educator shall not engage in any sexually related behavior with:

(A) A student enrolled in the school or LEA in which:

(i) The educator provides instruction to students, serves as an administrator, or performs any other official duties as an educator, regardless of whether the educator is employed or serves as a volunteer in a teaching or non-teaching role; or

(ii) The educator has, within the immediately preceding twelve (12) months, provided instruction to students, served as an

administrator, or performed any other official duties as an educator, regardless of whether the educator was employed or served as a volunteer in a teaching or non-teaching role; or

(B) A student who, within the immediately preceding twelve (12) months, graduated or withdrew from, ceased enrollment in, or completed the highest grade level offered by the LEA or school in which the student was formerly enrolled, if, during the period for which the student was enrolled in the LEA or school, the educator provided instruction to students, served as an administrator, or performed any other official duties as an educator, regardless of whether the educator was employed or served as a volunteer in a teaching or non-teaching role.

(2) Subdivision (a)(1) prohibits an educator from engaging in sexually related behavior with a student, with or without the student's consent, and applies to all sexually related behavior regardless of whether the sexually related behavior was communicated to or with the student verbally or nonverbally, or in a written, visual, auditory, physical, virtual, digital, or electronic format.

(b) As used in this section, "sexually related behavior" includes, but is not limited to, behaviors such as making sexual jokes or sexual remarks; engaging in sexual kidding, sexual teasing, or sexual innuendo; pressuring the student or former student for dates or sexual favors; engaging in inappropriate physical touching, groping, or grabbing; kissing; threatening physical harm; and committing a sexual offense or violent sexual offense, as those terms are defined in § 40-39-202.

(c) A violation of this section must be reported to the state board of education in accordance with its rules and constitutes a basis for educator license discipline.

SECTION 4. The heading in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 5. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.