

BEFORE THE TENNESSEE STATE BOARD OF EDUCATION

IN THE MATTER OF:

)

License No. 000703984

)

MICHAEL PESCE

)

CONSENT ORDER

By agreement of the Tennessee State Board of Education ("Board") and Michael Pesce ("Respondent"), this matter is disposed of, pursuant to Board Rule 0520-02-03-.09(3) and (5) as follows:

FINDINGS OF FACT

1. At all times pertinent hereto, Respondent was a licensed educator in the State of Tennessee.
2. Metropolitan Nashville Public Schools reported that, during the 2017-2018 school year, Respondent engaged in inappropriate communications with students.
3. Specifically, Respondent is alleged to have sent a text message and made phone calls to a student that made her feel uncomfortable and made an inappropriate sexual comment regarding 18 year-olds to another student.
4. Respondent resigned from his position with Metro Nashville Public Schools on May 15, 2018.

CONCLUSIONS OF LAW

Respondent's conduct constitutes grounds for revocation of his license pursuant to Board Rule 0520-02-03-.09(3)(g), (3)(h), (5)(a)(5)(i), (5)(a)(5)(ii), and (5)(a)(8).

ORDER

The Tennessee State Board of Education hereby orders, and Respondent agrees to the following:

1. Respondent hereby **voluntarily surrenders** his Tennessee educator license.
2. As a condition of the surrender, Respondent has agreed that he will not serve as a volunteer or be employed, directly or indirectly, as an educator, paraprofessional, aide, substitute teacher, or in any other position in a public school in the State of Tennessee.
3. As a condition of the surrender, Respondent agrees not to apply for restoration of his Tennessee educator license until five (5) years from the date of approval of this Consent Order by the Board.
4. Approval of this Consent Order by the Board shall in no way be construed as condoning the Respondent's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

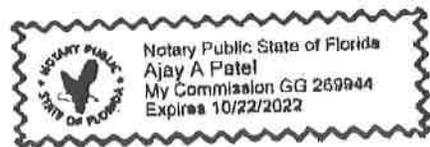
5. This Consent Order shall not become effective until approved by the Board.
6. Respondent must always answer affirmatively to the question on licensure applications regarding having been suspended, denied, or revoked.
7. Respondent acknowledges that he has read this Consent Order and that he understands its contents.
8. Respondent understands that there is a right to a hearing in this matter, and Respondent knowingly and voluntarily waives such right by entering into this Consent Order.
9. Respondent understands that this Consent Order will not become effective until approved by the Board.
10. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order.
11. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board, which includes, but is not limited to reporting this action to the National Association of State Directors of Teacher Educator and Certification ("NASDTEC") and posting on the Board website pursuant to Tenn. Code Ann. §§ 49-1-302(p), (q).
12. If this Consent Order is not approved by the Board, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board to adjudicate this matter.
13. The Respondent hereby consents to the terms and sanctions contained herein.

CONSENTED TO:


 Michael Pesce
 Respondent

Sworn to and subscribed
 before me this 1 day
 of May, 2019


 NOTARY PUBLIC
 My commission expires:



Approved by the Board this 26th day of July, 2019.

TENNESSEE STATE BOARD OF
EDUCATION

BY:



Lillian Hartgrove, Chair

ATTEST:



Sara Morrison, Executive Director

Sworn to and subscribed before me this 26th day of July, 2019.



NOTARY PUBLIC

After entry, a copy of this Order will be mailed to Respondent's last known address:

Michael Pesce
4700 Solara Cir.
Apt. 3030
Sanford, FL 32771