CERTIFICATES POLICY – DENIAL OR REVOCATION

The Certification Denial or Revocation Policy allows the National Board for Professional Teaching Standards (NBPTS) to deny certification to a candidate or to revoke certification of a teacher who holds a certificate as a National Board Certified Teacher for certain specified forms of misconduct. The Policy is intended to maintain the integrity of National Board Certification and to prevent any candidate from gaining an unfair advantage over others. This policy applies to all candidates for National Board Certification and to all teachers who hold a certificate as a National Board Certified Teacher.

I. Certification may be denied or revoked for any candidate or certificate-holder, who in the sole judgment of the National Board for Professional Teaching Standards,

   (A) Has knowingly misrepresented or falsified material information in connection with an application, credentials, assessment documentation, or other materials or information submitted to NBPTS, or

   (B) Has knowingly engaged in inappropriate conduct in connection with the certification process or renewal of the certification process, including, but not limited to:

       (1) noncompliance with assessment procedures, regulations or instructions,
       (2) violation of confidentiality agreements signed in accordance with the candidate application and/or assessment administration,
       (3) obtaining improper access to secure assessment materials or information prior to the administration of the assessment,
       (4) sharing, publishing, electronically posting or otherwise reproducing secure assessment materials or information,
       (5) violation of the NBPTS guidelines that describe collaboration with others, or
       (6) any other form of cheating or misconduct that compromises the integrity of the certification process.

   (C) Has been convicted of a felony, has had a teaching license denied, suspended or revoked, or, in the case of an unlicensed teacher, has been fired or suspended, and where the conduct leading to such felony conviction, licensure action, or, in the case of an unlicensed teacher, firing or suspension, has involved:

       (1) Child abuse;
       (2) Job-related crimes;
(3) Violent crimes against persons; or
(4) Other conduct of similar severity NBPTS determines is inconsistent with the standards required of a National Board Certified Teacher.

II. NBPTS shall establish a fair procedure for such denials or revocations that is based on,

A) A finding by the President that certification should be denied or revoked based on the criteria in the preceding section and imposition of appropriate sanctions, including but not limited to:

(1) Denial of certification and withholding of score report, with leave to retake one or more assessment exercises(s)
(2) Denial of certification and exclusion from future participation in the assessment program
(3) Revocation of certification
(4) Assessment of monetary sanctions to cover costs and/or damages (including the costs of investigation) associated with the misconduct found.

If the candidate or teacher does not request further review, pursuant to paragraph (B) immediately below, the findings and decision of the President will constitute the final judgment of NBPTS.

(B) Upon submission by the candidate of a request for further review along with payment of the fee provided for below, a review of the evidence and issuance of a final decision, in its sole judgment, by the Disqualification Review Panel ("DRP").

(1) The DRP shall consist of five (5) persons, who shall be appointed by the Chair of NBPTS with the approval of the Board of Directors, to serve for three-year terms. The Panel members shall be appointed from former members of the Board of Directors of NBPTS, and a majority of the Panel shall be persons who at the time they served on the Board of Directors were defined as regularly engaged in teaching elementary and secondary school students as defined by NBPTS. Any vacancies on the Panel may be filled by appointments by the Chair of NBPTS Board of Directors to serve the remaining term. No Panel member may serve more than two consecutive three-year terms.

(a) Voluntary Resignation. Any member of Disqualification Review Panel may resign at any time by notifying the Chair or the Secretary in writing. Such resignation shall take effect at the time specified by the resigning member, or, if no time is specified, on receipt by the Chair or the Secretary of the notice of resignation.
(b) Mandatory Tender of Notice and Resignation. In order to assure that a majority of the Disqualification Review Panel shall be persons who are regularly engaged in teaching elementary and secondary school children, any person elected to the panel in this class who ceases such teaching for any reason shall so notify the Chair or the Secretary in writing. Unless the change from the teaching status is limited by its terms to one year or less, the member shall also tender her or his resignation, effective immediately to the Chair or the Secretary. The Chair and/or Secretary shall report to the Board of Directors all such mandatory tendered notices and resignations.

(c) Of those five members of the Disqualification Review Panel, one shall be assigned by lot to a one-year term, two shall be assigned by lot to two-year terms, and the other two shall be assigned to three-year terms.

(2) It is preferred that all five members be present for the DRP to take action. Action by the DRP requires a quorum of three members and shall be by majority vote. A member of the DRP may elect not to participate in one or more decisions of the panel for any reason, and shall elect not to participate in any decision where the member determines, in his or her sole discretion; he or she for any reason is not able to act fairly and impartially. If one or more members of the DRP cannot participate, the Chair of NBPTS shall appoint a person qualified to serve on the DRP. The DRP may meet in person or by telephone. The decision of the DRP shall constitute the final judgment of NBPTS.

III. In the interest of public protection and protecting the integrity of the teaching profession, for all teachers who have been denied certification and excluded from future participation in the assessment program or had a National Board Certificate revoked, NBPTS will:

(A) Provide the following information to the agency responsible for state licensure, employers, as well as to any third-party payer who financially supported or supports the teacher involved:

(1) Teacher name
(2) Teacher home address, city and state
(3) Teacher school
(4) Date of action taken by NBPTS

(B) Remove the name of the teacher from any NBPTS official listing of National Board Certified Teachers
(C) Make the following information available through online and print publications and press releases:
   (1) Teacher name
   (2) Teacher city and state
   (3) Date of action taken by NBPTS

IV. NBPTS shall establish a filing fee or charge that will be assessed to and must be paid by teachers who seek review of the President’s finding under this policy. The amount of that filing fee or charge is set by the President of NBPTS, who may alter or revise the amount of that fee or charge from time to time.

V. The President shall regularly submit a report to the Board of Directors on the implementation of this policy.