

**Matt Kilgore**  
**Voluntary Surrender**

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**The Background:**

*Prior History:* N/A

*Facts:* Mr. Kilgore, a high school teacher, was reported by Cheatham County Schools for being at a school-related activity while consuming or possessing alcohol with students present. An investigation revealed that Mr. Kilgore purchased alcohol for students while on a field trip. Mr. Kilgore resigned from his position with Cheatham County Schools.

*Applicable Rule:* 0520-02-03-.09(1)(k) defines Other Good Cause as conduct that calls into question the fitness of an educator to hold a license including, but not limited to, noncompliance with security guidelines for Tennessee Comprehensive Assessment Program (TCAP) or successor tests pursuant to T.C.A. § 49-1-607, failure to report licensure actions as required under paragraph (2), or violation of any provision in the Teacher Code of Ethics as contained in T.C.A. §§ 49- 5-1001, *et seq.*

0520-02-03-.09(1)(o) defines School Related Activity as any activity in which a student participates, including but not limited to classes, meetings, extracurricular activities, clubs, athletics, and field trips, sponsored by the school, state educational agency, or local educational agency.

0520-02-03-.09(1)(q) defines Revocation as the nullification of an educator's license for a period of at least five (5) years, after which an educator may petition the State Board for reinstatement.

0520-02-03-.09(3)(c) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for being on school premises, at a school-related activity involving students, or on official school business, while possessing or consuming alcohol or illegal drugs;

0520-02-03-.09(3)(g) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for other good cause.

0520-02-03-.09(3)(h) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for any offense contained in paragraph (5) of this rule.

0520-02-03-.09(5)(a)(2)(iii) provides that an individual holding an educator's license who is found to be in possession of or consuming alcohol or using illegal substances while not

on school premises or property, but while participating in school related activities with children present, shall be subject to a disciplinary action within the range of suspension for not less than one (1) year 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 shall be subject to a disciplinary action within the range of a suspension for no less than one (1) year up to and including revocation.

T.C.A. § 49-5-1003(b)(16) provides that an educator shall not furnish alcohol or illegal or unauthorized drugs to a student.

T.C.A. § 49-5-1003(b)(18) provides that an educator shall refrain from the use of alcohol while on school or LEA premises or during a school activity at which students are present.

*Status:* Respondent was notified by certified mail of the Board's intent to **revoke** his educator license based upon these findings. Respondent received said notice.

**Board Action Consistency Considerations:**

October 2014 – Board revoked an educator's license for providing alcohol and marijuana to students.

**The Recommendation:**

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