

---

**Harry S. Dillon**  
**Suspension, Three (3) Months, Retroactive**

---

**The Background:**

*Prior History:* N/A

*Facts:* Mr. Dillon went to a school baseball game and interacted with students while under the influence of alcohol. Mr. Dillon admitted to drinking a beer with his dinner immediately before attending the baseball game. Mr. Dillon only attended the game as a spectator.

Mr. Dillon was suspended from participating in all school-related extracurricular functions through the end of the 2022-2023 school year.

*Applicable Law*

*/Rule:* T.C.A. § 49-1-302(a)(5)(A)(iv) provides that the Board has the power to adopt rules and policies governing the discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates.

T.C.A. § 49-5-1003(b)(18) provides that in fulfillment of this obligation to the student, 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.

T.C.A. § 49-5-1003(b)(19) provides that in fulfillment of this obligation to the student, an educator shall maintain a professional approach with the student at all times.

T.C.A. § 49-5-1004(c)(2) provides that educators shall conduct themselves in a manner that preserves the dignity and integrity of the education profession.

0520-02-03-.09(1)(e) defines Inappropriate Communication (Non-Explicit) as any communication between an educator and a student that is beyond the scope of the educator's professional responsibilities. Examples of such non-explicit inappropriate communications include, but are not limited to, those communications that discuss the educator's or student's past or current romantic relationships; those that include the use of profanities or obscene language; those that are harassing, intimidating, or bullying; those that attempt to establish an inappropriate personal relationship with a student; and those that are related to personal or confidential information regarding another school staff member or student.

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, 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(3)(c) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license or may refuse to issue a temporary permit for being on school premises, school property, at a school-related activity involving students, or on official school business, while possessing, consuming, or under the influence of alcohol or illegal drugs.

0520-02-03-.09(3)(i) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for other good cause as defined in subparagraph (1)(k) of this rule.

0520-02-03-.09(3)(j) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for any offense contained in paragraphs (4) and/or (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, consuming, or under the influence of alcohol or 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 contained in T.C.A. Title 49, Chapter 5, Part 10 shall be subject to a disciplinary action within the range of a formal reprimand up to and including revocation.

*Status:* Respondent was notified by certified mail of the Board's intent to suspend Respondent's educator license for **three (3) months beginning retroactively from the date of action by the district, April 1, 2022, through July 1, 2022**, based upon these findings. Respondent received said notice. Respondent agreed to the retroactive suspension of Respondent's license.

**Board Action Consistency Considerations:**

N/A

**The Recommendation:**

The Board staff recommends that the Board approve the signed Consent Order submitted by Respondent for the retroactive suspension of Respondent's license based upon the facts and applicable rules noted above.