

**Matthew Runyan
Suspension, One (1) Year**

The Background:

Prior History: N/A

Facts: On February 1, 2023, Mr. Runyan possessed unopened alcoholic beverages in the refrigerator located in his classroom during a professional learning day. Empty cans were also located in his vehicle parked on campus and he had an open container on his desk. Mr. Runyan admitted to consuming alcohol and, therefore, an alcohol test was not performed. No students were present. Mr. Runyan was suspended for three days and ultimately resigned.

Applicable

Law/Rule: 0520-02-03-.09(1)(j) defines “Official School Business” as any activity undertaken by an educator in an official capacity and in connection with the educator’s employment. Examples include, but are not limited to, conferences, professional development, trainings, and seminars.

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)(p) defines “Suspension” the nullification of an educator’s license for a predetermined term, after which the license may be reinstated. Reinstatement shall be subject to the completion of any terms and conditions contained in the order of suspension.

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 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(5)(a)(3)(ii) provides 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 on school premises or property without 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)(9) 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.

T.C.A. § 49-5-1003(b)(18) provides 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. § 49-5-1004(c)(2) provides an educator shall conduct themselves in a manner that preserves the dignity and integrity of the education profession.

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

Board Action Consistency Considerations:

May 2023 – Board approved the one (1) year suspension of an educator's license due to being under the influence of alcohol on school premises prior to the school year without students present.

The Recommendation:

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for the one (1) year suspension of Respondent's license based upon the facts and applicable rule noted above.