

Seth Jones
Suspension, Three (3) Months

The Background:

Prior History: N/A

Facts: Mr. Jones attended a school basketball game and interacted with students and staff while under the influence and in possession of alcohol. Mr. Jones admitted to partially consuming a wine cooler immediately before attending the game and to pouring the remaining wine cooler into an insulated cup before taking it into the school gym. Mr. Jones attended the game as a spectator only and was not responsible for any students or activities.

Mr. Jones resigned his position for the remainder of the 2022-2023 academic year.

Applicable Law

/Rule: 0520-02-03-.09(1)(k) defines 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)(m) defines School Premises as any real property and/or land owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.

0520-02-03.09(1)(p) defines Suspension as the nullification of an educator's license for a predetermined term, after which the license may be reinstated. Reinstatement may be subject to the completion of terms and conditions contained in the order of suspension.

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

0520-02-03-.09(5)(a)(3)(i) 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 when children are 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) 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 that educators 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 that educators 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 consented to the suspension.

Board Action Consistency Considerations:

October 2022 – Board approved the three (3)-month retroactive suspension of an individual's license for being at a school-related activity while under the influence of alcohol.

October 2022 – Board approved the six (6)-month suspension of an individual's license for having a new school year drinking ritual with staff members after hours on campus without students present.

The Recommendation:

Board counsel recommends that the Board approve the signed Consent Order submitted by Respondent for a three (3) month suspension of Respondent's license based upon the facts and applicable rule noted above.