

Nicholas Enns
Suspension, 2 Years with Proof of Treatment

The Background:

Prior History: N/A

Facts: On April 21, 2023, Mr. Enns was reported to administration after colleagues suspected he was under the influence of alcohol. Mr. Enns confirmed he had been drinking during the school day while on campus, and a bottle of alcohol was found in his classroom. Mr. Enns resigned from his position.

Applicable Law

/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, 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(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)(i) 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 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) 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.

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:

November 2023 – Board approved the two-year suspension of an educator's license, with proof of treatment, for being under the influence of alcohol on school property.

February 2023 – Board approved the two-year suspension of an educator's license, with proof of treatment, for being under the influence of alcohol on school property.

February 2022 – Board approved the two-year suspension of an educator's license, with proof of treatment, for being under the influence of alcohol on school property.

October 2021 – Board approved the two-year suspension of an educator's license, with proof of treatment, for being under the influence of alcohol on school property.

July 2021 – Board approved the two-year suspension of an educator's license, with proof of treatment, for being under the influence of alcohol on school property.

The Recommendation:

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for the two (2) year suspension of Respondent's license with proof of treatment, based upon the facts and applicable rule noted above, with reinstatement of Respondent's license contingent upon proof of treatment.