
Ashley Newell
Suspension, 2 Years with Proof of Treatment

The Background:

Prior History: N/A

Facts: On August 12, 2024, Ms. Newell was suspected of being under the influence on campus. Ms. Newell was in and out of sleep and unresponsive to questions. Her employment was terminated on August 16, 2024. She acknowledged having a substance abuse problem and was admitted to a residential treatment program on August 20, 2024, which she completed on September 30, 2024. Ms. Newell reports she is participating in an aftercare program.

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(1)(p) defines Suspension as, "With regard to licensure action by the State Board, suspension means 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. With regard to employment action taken by a public or non-public school or school district, suspension means the temporary removal of an educator from his or her regular duties with or without pay. Suspension also includes the placement of an educator on administrative leave pending investigation into allegations of misconduct."

0520-02-03-.09(3)(c) provides, "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, "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, "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)(i) provides, “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.”

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:

February 2024 – 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.

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 based upon the facts and applicable rule noted above, with reinstatement of Respondent’s license contingent upon proof of treatment.