

Emma Schou
Suspension, 1 year

The Background:

Prior History: N/A

Facts: In 2018, Ms. Schou, while acting as an educator in Florida, was found to be at school in the presence of students while under the influence of alcohol or drugs. Her Florida teaching license was suspended for one (1) year, with a requirement that she provide proof of treatment.

Applicable 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, noncompliance with security guidelines for Tennessee Comprehensive Assessment Program (TCAP) or successor tests pursuant to T.C.A. § 49-1-607, failure to report licensure actions as required under paragraph (2), or violation of any provision in the Teacher Code of Ethics as contained in T.C.A. §§ 49- 5-1001, *et seq.*

0520-03-.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.

0520-03-.09(1)(n) defines School Property as any property owned, leased, managed, controlled, or under the custody of a state or local education agency, school system, or school.

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

0520-02-03-.09(3)(f) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for denial, suspension, or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension, or revocation under this rule;

0520-02-03-.09(3)(c) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for being on school premises, at a school-related activity involving students, or on official school business, while possessing or consuming alcohol or illegal drugs;

0520-02-03-.09(3)(g) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for other good cause.

0520-02-03-.09(3)(h) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for any offense contained in paragraph (5) of this rule.

0520-02-03-.09(5)(a)(2)(i) provides that an individual holding an educator's license who is found to be in possession of or consuming, alcohol, or using 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)(8) provides that an individual holding an educator's license who is found to have violated the teacher code of ethics shall be subject to a disciplinary action within the range of a suspension for no less than one (1) year up to and including revocation.

T.C.A. § 49-5-1003(b)(7) provides that an educator shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety;

T.C.A. § 49-5-1003(b)(18) provides that 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(b)(9) provides that an educator shall not use illegal or unauthorized drugs.

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

Board Action Consistency Considerations:

N/A

The Recommendation:

The Board staff recommends that the Board approve the signed Consent Order submitted by the Respondent based upon the facts and applicable rule noted above.