

**Holland Hilton**  
**Suspension, 3 Years Concurrent with Probation**

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**The Background:**

*Prior History:* N/A

*Facts:* Mr. Hilton was reported to the Tennessee Comptroller's office by Jackson-Madison County Schools (JMCS) regarding falsified timesheets. The Comptroller's investigation found that Mr. Hilton falsified his timesheets and theft charges resulted. On July 13, 2020, Mr. Hilton pled guilty to theft of property in excess of \$10,000, a felony under T.C.A. § 39-14-103. Mr. Hilton was placed on three years probation from July 13, 2020 to July 13, 2023. Mr. Hilton resigned his position with JMCS.

*Applicable Rule*

*/Law:* 0520-02-03-.09(1)(a) defines "conviction" as a judgment entered by a court upon a plea of guilty, a plea of nolo contendere, a finding of guilt by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. Conviction includes, but is not limited to, a conviction by a federal court or military tribunal, including a court-martial conducted by the armed forces of the United States, and a conviction, whether upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, in any other state of the United States, other jurisdiction, or other country. Conviction also includes a plea taken in conjunction with Tennessee Code Annotated ("T.C.A.") § 40-35-313 or its equivalent in any other jurisdiction.

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 the nullification of an educator's license for a predetermined term, after which the license is reinstated. Reinstatement may be subject to the completion of terms and conditions contained in the order of suspension.

0520-02-03-.09(3)(a) provides that the State Board of Education ("Board") may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for a conviction of a felony.

0520-02-03-.09(3)(i) provides that the Board 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 Board Rule 0520-02-03-.09.

0520-02-03-.09(3)(j) provides that the Board may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for any offense contained in paragraphs (4) and/or (5) of Board Rule 0520-02-03-.09.

0520-02-03-.09(5)(a)(1)(i) provides that, upon receiving notification that an individual has been convicted of a felony, an individual holding an educator's license shall be subject to disciplinary action within the range of a suspension of not less than two (2) years up to and including permanent revocation of the convicted individual's educator license.

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 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. § 49-5-1004(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** his educator license based upon these findings. Respondent received said notice.

**Board Action Consistency Considerations:**

July 2012 – Board approved the suspension of an individual's license for a period concurrent with their judicial probation.

April 2013 – Board approved the suspension of an individual's license for a period concurrent with their judicial probation.

July 2013 – Board approved the suspension of an individual's license for a period concurrent with their judicial probation.

**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.