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**Lacy Baines**  
**Suspension, Two (2) Years with Proof of Treatment**

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**The Background:**

*Prior History:* N/A

*Facts:* On or about May 11, 2023, Ms. Baines appeared to be under the influence of alcohol while on school premises. Ms. Baines admitted to other that she was under the influence while at school. Ms. Baines was also in possession of alcohol while on school premises. She was suspended pending the investigation but subsequently resigned.

*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)(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)(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" 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.

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(3)(j) The State Board of Education 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 this rule.

0520-02-03-.09(5)(a)(3)(i) provides the Board may impose action upon finding, "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)(3)(ii) provides the Board may impose action upon finding, "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 without children 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 disciplinary action within the range of a formal reprimand up to and including revocation.

T.C.A. § 49-5-1004(b)(7) provides that educators shall, "Make reasonable effort to protect the student from conditions harmful to learning or to health and safety..."

T.C.A. § 49-5-1004(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(b)(19) provides that educators shall, "Maintain a professional approach with the student at all times."

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 agreed to the suspension of Respondent's license.

**Board Action Consistency Considerations:** n/a

**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 rules noted above.