

**Jacob Ray**  
**Suspension, 3 Months with Professional Development**

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**The Background:**

*Prior History:* N/A

*Facts:* On May 14, 2021, Williamson County Schools suspended Mr. Ray following allegations that that Mr. Ray touched students' hair, rubbed their shoulders, used pet names for students, and told students he loved them. Students reported these actions made them uncomfortable. Williamson County suspended Mr. Ray for similar conduct in 2018.

*Applicable Rule*

*/Law:* 0520-02-03-.09(1)(e) defines inappropriate communication (non-explicit) as any communication between an educator and a student that is beyond the scope of the educator's professional responsibilities. Examples of such non-explicit inappropriate communications include, but are not limited to, those communications that discuss the educator's or student's past or current romantic relationships; those that include the use of profanities or obscene language; those that are harassing, intimidating, or bullying; those that attempt to establish an inappropriate personal relationship with a student; and those that are related to personal or confidential information regarding another school staff member or student.

0520-02-03-.09(1)(f) defines Inappropriate Physical Contact as unlawful and/or unjustified physical contact with a student. Examples of such inappropriate physical contact include, but are not limited to, sexual contact, physical altercations, horseplay, tickling, improper use of corporal punishment, and rough housing.

0520-02-03-.09(1)(k) defines 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)(e) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator's license for inappropriate physical contact with a student.

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) provides 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)(5)(i) provides an individual holding an educator's license who is found to have engaged in non-explicit inappropriate communication with a student shall be subject to a disciplinary action within the range of a suspension for no less than three (3) months up to and including revocation.

0520-02-03-.09(5)(a)(6)(i) provides an individual holding an educator's license who is found to have engaged in inappropriate physical contact with a student that does not result in harm or potential harm to the student shall be subject to a disciplinary action within the range of a formal reprimand up to and including suspension for two (2) years.

0520-02-03-.09(5)(a)(8) 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)(7-9, 19) provides that an educator shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety; make reasonable effort to protect the emotional well being of the student; not intentionally expose the student to embarrassment or disparagement; and maintain a professional approach with the student at all times.

*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:**

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.