

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

ACE HORTON

MAY 14, 2020

PLSB CASE NO. 20-103

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on May 14, 2020, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) for disciplinary action against the teaching license of Ace Horton (Educator Horton). Based upon Educator Horton's acceptance of the Ethics Subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact

- a. The Arkansas Department of Education issued Educator Horton a standard five-year teaching license on January 1, 2018, valid until December 31, 2022.
- b. The Ethics Subcommittee received an allegation that Educator Horton violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. On February 7, 2020, the Ethics Subcommittee authorized an investigation into allegations that Educator Horton violated Standard 2: an educator maintains competence regarding his or her professional practice, inclusive of professional and ethical behavior, skills, knowledge, dispositions, and responsibilities relating to his or her organizational position and Standard 8: an educator while on school premises or at school-sponsored activities involving students refrains from using, possessing

and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law.

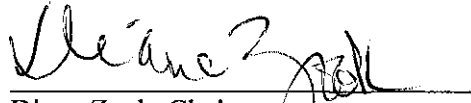
- d. Educator Horton was notified on February 10, 2020, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on April 3, 2020, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 2 and 8 in that Educator Horton:
 - Exhibited an inappropriate disposition inclusive of professional and ethical behavior.
 - Left students unattended.
 - Failed to follow district/state or federal policies.
 - Possessed alcohol while at school.
 - Was under the influence of alcohol while at school.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
 1. Two years of probation;
 2. Assess a \$250 fine (due within 90 days of State Board order);
 3. Recommend training, coursework or rehab treatment, with monitored progress:
 - (i) ERC19048: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2018); Credit Hours: 1
 - (ii) Continue counseling as previous enrolled with quarterly updates from counselor reported to PLSB indicating Educator's participation and improvement as well as quarterly written reflections from the Educator indicating how counseling is impacting his role as an Educator.

- (iii) Written reflections sent to PLSB quarterly to acknowledge how the counseling and training will impact his future behavior.
 - (iv) To be completed by: (All costs paid by Educator).
- g. On April 6, 2020, Educator Horton was notified of the Ethics Subcommittee's initial determination and recommendation by first class and certified mail. Educator Horton responded via email stating his acceptance of the recommendation and sent a signed acceptance April 15, 2020.
- h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

II. Conclusions of Law

- a. Upon consideration of the evidence presented at the meeting, Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the Ethics Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Ace Horton for his violation of the Code of Ethics.
- b. Educator Horton is cautioned that his non-payment of the assessed fine of \$250 may result in the suspension of his license until the fine is paid in full.
- c. Educator Horton is cautioned that further violations of the Code of Ethics or failure to pay the fine within ninety (90) days of the State Board order may result in more severe discipline including permanent revocation of his license.
- d. This order shall remain permanently in Educator Horton professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Diane Zook, Chair
Arkansas State Board of Education