

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
TROY ALLEN GITTINGS  
MARCH 12, 2020**

**PLSB CASE NO. 19-132**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

At its regular meeting on March 12, 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 Troy Allen Gittings (Educator Gittings). Based upon Educator Gittings'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 Gittings a standard five-year teaching license on January 1, 2018, valid until December 31, 2022.
- b. The Ethics Subcommittee received an allegation that Educator Gittings 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 April 8, 2019, the Ethics Subcommittee authorized an investigation into allegations that Educator Gittings violated Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom, and 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;

- d. Educator Gittings was notified on April 8, 2019, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on July 31, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1 and 2 in that Educator Gittings:
- Engaged in inappropriate use of social media.
  - Engaged in inappropriate communications with students.
  - Exhibited an inappropriate disposition inclusive of professional and ethical behavior.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
1. One Year Probation;
  2. Assess a \$200 fine (due within 90 days of State Board Order);
  3. Recommended Trainings/Course Work:
    - (i) ERC19048: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2018); Credit Hours: 1
    - (ii) TCC14435: Professional Licensure Standards Board (PLSB): Social Media Guidelines; Credit Hours: 3
    - (iii) TCC14436: Professional Licensure Standards Board (PLSB): Digital Citizenship Curricula K-12; Credit Hours: 3
    - (iv) Title: Addressing Appropriate and Inappropriate Teacher-Student Relationships: A Secondary Education Professional Development Model; Author: Ernest J. Zarra, III, Kern High School District; Publication: CLEARvoz Journal Vol. 3, No. 2 (2016); Length: 15 Pages; Link: <http://journals.sfu.ca/cvj/index.php/cvj/article/viewFile/26/29>
  4. Written Reflection indicating how each training will impact the Educator's interactions with his students and colleagues.
  5. All costs to be paid by the Educator.
- g. On August 14, 2019, Educator Gittings was notified of the Ethics Subcommittee's initial determination and recommendation by certified and regular mail. Educator

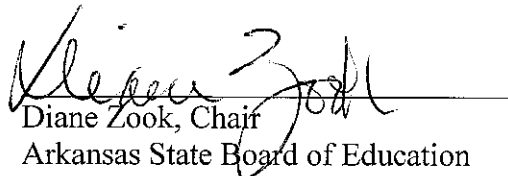
Gittings rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.

- h. On January 30, 2020, Educator Gittings opted to accept the recommendation of the Ethics Subcommittee's initial determination and recommendation.
- i. 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 Troy Allen Gittings for his violation of the Code of Ethics.
- b. Educator Gittings is cautioned that his non-payment of the assessed fine of \$200 may result in the suspension of his license until the fine is paid in full.
- c. Educator Gittings is cautioned that further violations of the Code of Ethics or failure to pay the fine within ninety (90) days from the date of this order may result in more severe discipline including permanent revocation of his license.
- d. This order shall remain permanently in Educator Gittings's 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