

## THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
JUSTIN CHARITY RULEY  
DECEMBER 12, 2019**

**PLSB CASE NO. 19-008**

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

At its regular meeting on December 12, 2019, the Arkansas State Board of Education (Board) reviewed the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) for disciplinary action against the teaching license of Justin Charity Ruley (Educator Ruley). Based upon Educator Ruley'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. and the Rules Governing the Code of Ethics for Arkansas Educators (Rules), the Board hereby states as follows:

#### **I. Findings of Fact**

- a. The Arkansas Department of Education issued Educator Ruley a standard five-year teaching license on January 1, 2018, valid until December 31, 2022.
- b. The Ethics Subcommittee received an allegation that Educator Ruley 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 July 9, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Ruley violated Standard 1: an educator maintains a professional relationship with each student, both in and outside of the classroom; Standard 2: an educator maintains competence regarding his or her professional practice, inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her

organizational position; and Standard 8: an educator refrains from using, possessing, and/or being under the influence of alcohol or unauthorized drugs/substances and or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at alcohol-sponsored activities involving students.

d. After considering the investigator's report and evidence on July 8, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1, 2, and 8 in that Educator Ruley:

- Was under the influence of alcohol and/or medication.

e. The Ethics Subcommittee recommended that the State Board take the following actions:

1. Probation of license for one year;
2. Assess a \$250 fine (due within 90 days of the State Board Order);
3. Require Educator to complete the appropriate coursework/reading.
4. Require Educator to prepare written reflection: that explains how the trainings and readings would assist in her responsibilities as a professional educator (due within 90 days of the State Board Order); and
5. Require Educator to pay all associated costs.

f. On July 8, 2019, Educator Ruley, was notified of the Ethics Subcommittee's initial determination and recommendation by certified mail. Educator Ruley did not respond to notice but ended up accepting the Ethics Subcommittee's recommendation.

g. On September 12, 2019, the State Board removed the PLSB's recommendation from the consent agenda pursuant to Section 12.03.4.1 of the Rules, and placed it on the October 10, 2019, action agenda.

- h. At the October 10, 2019, State Board rejected the recommendation and motioned for a hearing on the issues.
- i. Educator's attorney and the Educator were notified via first class and registered mail, and the Educator's attorney was also notified via email, that the hearing would be held December 12, 2019. The first class mail was not returned and the registered mail was delivered. The notice and delivery confirmation were entered into the record. Attorney for the PLSB did an "all call" for the Educator and their attorney and nobody appeared.
- j. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its action 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 findings that Ms. Ruley violated Standards 1, 2, and 8 of the Code of Ethics. The Board admonishes Educator Justin Charity Ruley for her violation of the Code of Ethics.
- b. The Board imposes the following sanction:
  - Suspension of license for one year
  - Provide a letter from a healthcare professional that the Educator is fit to return to the classroom at the end of the one year suspension.
  - After the suspension is lifted the Educator will be subject to one year of review. During the review, the Educator will be required to complete a

random drug test at least once every three months, and provide a letter from her supervisor every semester that she has had no new violations.

- All associated costs to be paid by the Educator.
- c. Educator Ruley is cautioned that further violations of the Code of Ethics from the date of this order may result in more severe discipline including permanent revocation of her license.
- d. This order shall remain permanently in Educator Ruley'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