

# THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
NICOLE LEA HUFF  
NOVEMBER 14, 2019**

**PLSB CASE NO. 19-081  
PLSB CASE NO. 19-149**

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

At its regular meeting on November 14, 2019, 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 Nicole Lea Huff (Educator Huff). Based upon Educator Huff'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 Huff a standard five-year teaching license on January 1, 2018, valid until December 31, 2022.
- b. The Ethics Subcommittee received an allegation that Educator Huff 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 December 19, 2018 (19-081) and May 3, 2019 (19-149), the Ethics Subcommittee authorized investigations into allegations that Educator Huff 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 7: an educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations.

d. Educator Huff was notified on December 10, 2018 (19-081) and May 3, 2019 (19-149), of the Ethics Subcommittee's authorization to investigate this allegation.

e. After considering the investigator's report and evidence on May 7, 2019 (19-081), and July 31, 2019 (19-149), the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1, 2, and 7 in that Educator Huff:

- Engaged in inappropriate interactions with a student.
- Disclosed confidential student information.
- Exhibited an inappropriate disposition inclusive of professional and ethical behavior.

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

1. Probation of license for 4 years;
2. Assess a \$250 fine (due within 90 days of the State Board Order);
3. Require Educator to complete the following coursework/readings:
  - ERC19048: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2018); Credit Hours: 1
  - SPC17012 Introduction to Behavior: General Classroom Management Systems; Credit Hours: 1
  - CMG17031 Increasing Student Effort and Engaging Students; Credit Hours:1

- Title: If You Can't Manage Them, You Can't Teach Them (280p); Author: Kim Campbell, Dr. Kay Herting Wahl; ISBN-10: 0865305137; ISBN-13: 978-0865305137
- Title: Culturally and Linguistically Responsive Teaching and Learning – Classroom Practices for Student Success, Grades K-12 (2nd Edition) (280p); Author: Shell Education, Sharroky Hollie; ISBN-10: 1425817319; ISBN-13: 978-1425817312
- Title: Real Talk About Class room Management: 50 Best Practices That Work and Show You Believe in Your Students (296p); Author: Serena Pariser; ISB -13: 978- 15443 17755; ISBN- I O: 1544 31775 1

4. Require Educator to prepare written reflection: that explains how trainings and readings will impact student interactions and classroom management in the future. (Due within 90 days of State Board Order); and
5. Require Educator to pay all associated costs.

- g. On September 5, 2019, Educator Huff, through her attorney, Travis Ragland, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by email. Educator Huff accepted the Ethics Subcommittee's recommendation thereby waiving her right to any further notice, hearing, or any other rights she may have under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- 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 Nicole Lea Huff for her violation of the Code of Ethics.

- b. Educator Huff is cautioned that her 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 Huff 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 her license.
- d. This order shall remain permanently in Educator Huff'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