

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
KELBIE K. HEROD (REEVES)  
JANUARY 10, 2019**

**PLSB CASE NO. 18-129**

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

At its regular meeting on January 10, 2018, 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 Kelbie K. Herod (Reeves) (Educator Herod). Based upon Educator Herod's failure to respond to the Ethics Subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedures 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 Herod a standard five-year teaching license on June 26, 2017, valid until December 31, 2021.
- b. The Ethics Subcommittee received an allegation that Educator Herod 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 May 4, 2018, the Subcommittee authorized an investigation into allegations that Educator Herod violated Standard 1: An educator maintains a professional relationship with each student, both in and outside of the classroom; and 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.

- d. Educator Herod was notified on May 4, 2018 of the subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on November 2, 2018, the subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1 and 2 in that Educator Herod:
  - Inappropriately communicated with a student
  - Inappropriately sent videos and/or photos to a student
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
  - Permanent Revocation and
  - Assess a \$500 fine (due within 90 days of the State Board Order).
- g. On November 6, 2018, Educator Herod, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. Educator Herod failed to respond to 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 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 Herod for her violation of the Code of Ethics.

- b. This order shall remain permanently in Educator Herod's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
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Dr. Jay Barth, Chair  
Arkansas State Board of Education