

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
KAITLYN LEIGH ANNE BRODELL
JANUARY 10, 2019**

PLSB CASE NO. 19-002

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on January 10, 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 Kaitlyn Leigh Anne Brodell (Educator Brodell). Based upon Educator Brodell'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 Brodell a standard five-year teaching license on January 1, 2014, valid until December 31, 2018.
- b. The Ethics Subcommittee received an allegation that Educator Brodell 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 Subcommittee authorized an investigation into allegations that Educator Brodell 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 Brodell was notified on July 9, 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 Brodell:
 - Made inappropriate physical contact.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
 1. Written reprimand by the State Board of Education;
 2. Assess a \$100 fine (due within 90 days of the State Board Order);
 3. Require Educator to complete the following coursework/readings:
 - (i) ERC18064: Professional Licensure Standards Board (PLSB): The Code of Ethics Training
 - (ii) SPB14008 Behavior is Communication
 - (iii) SPB14014 Behavior Intervention Plans
 - (iv) SPB14005 Working with Children with Low Incidence Disabilities (2009)
 4. Require Educator to prepare written reflection of how this will impact her teaching and student interactions (due within 90 days of State Board Order); and
 5. Require Educator to pay all associated costs.

- g. On November 6, 2018, Educator Brodell, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. The certified letter was returned on December 10, 2018; the first class mail was not returned. Educator Brodell 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 Brodell for her violation of the Code of Ethics.
- b. Educator Brodell is cautioned that her non-payment of the assessed fine of \$100 may result in the suspension of her license until the fine is paid in full.
- c. Educator Brodell 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 in Educator Brodell's professional licensure file for a period of two years and permanently remain in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education