

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
KYLE THOMAS RUSSELL  
OCTOBER 11, 2018**

**PLSB CASE NO. 18-118**

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

At its regular meeting on October 11, 2018, the Arkansas State Board of Education (State Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) for disciplinary action against the teaching license of Kyle Thomas Russell (Educator Russell). Based upon Educator Russell's acceptance of 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 State Board hereby states as follows:

**I. Findings of Fact**

- a. The Arkansas Department of Education issued Kyle Thomas Russell a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Russell 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 9, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Russell 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 skills, knowledge, dispositions, and responsibilities relating to his or her organizational position.
- d. Educator Russell was notified on April 9, 2018, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on August 3, 2018, the Ethics Subcommittee unanimously found that preponderance of evidence existed to substantiate violations of Standards 1 and 2 in that Educator Russell:
- Had inappropriately interacted with a student (nonsexual);
  - Had inappropriately communicated with a student via electronic communications (nonsexual); and
  - Failed to provide adequate classroom instructions.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
- Place license on probation for one (1) year;
  - Assess a \$75 fine (due within 90 days following the State Board's final order);
  - Require educator to complete training through the ArkansasIDEAS online portal taking Courses: *ERC18064 Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2017) (.5 hours)*; *TCC14435 Professional Licensure Standards Board (PLSB): Social Media Guidelines (3 hours)*; *LAG17029 Success Favors Well-Prepared Adults: Unpacking your Personality Package (1 hour)*; and *CMG17031 Increasing Student Effort and Engaging Students (1 hour)*;
  - Read Book: The Growth Mindset Playbook: A Teacher's Guide to Promoting Student Success (224p); Authors: Annie Brock, Heather Hundley; ISBN 10: 1612436870; ISBN 13: 978-1612436876;
  - Require educator to provide written reflections on each training and book indicating how the training will impact his interactions with students and teaching in the classroom; must be completed and submitted to the PLSB Office within ninety (90) days of the State Board's Final Order; and
  - Require all associated costs to be paid by Educator Russell.
- g. On August 6, 2018, Educator Russell, was notified of the Ethics Subcommittee's initial determination and recommendation by certified and regular mail. Educator

Russell accepted the Ethics Subcommittee's recommendation on August 31, 2018, thereby waiving his right to any further notice, hearing, or any other rights he 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 Russell for his violation of the Code of Ethics.
- b. Educator Russell 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.
- c. This order shall remain permanently in Educator Russell'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