THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:
STEPHEN PATRICK ANDREWS
SEPTEMBER 13, 2018

PLSB CASE NO. 17-199

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on September 13, 2018, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Evidentiary Hearing Subcommittee (Hearing Subcommittee) for disciplinary action against the teaching license of Stephen Patrick Andrews (Educator Andrews). Based upon Educator Andrews's acceptance of the Hearing 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 Stephen Patrick Andrews a standard five-year teaching license on January 1, 2016, valid until December 31, 2020.

b. The Ethics Subcommittee received an allegation that Educator Andrews 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 5, 2017, the Subcommittee authorized an investigation into allegations that Educator Andrews 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 Andrews was notified on May 9, 2017, of the subcommittee's authorization to investigate this allegation.

e. After considering the investigator's report and evidence on October 6, 2017, the subcommittee unanimously found that reasonable belief existed to substantiate violations of Standards 1 and 2 in that Educator Andrews:

- Made disparaging remarks about students in his class when they asked him questions such as, but not limited to: "Stupid", "Dumb", "Ignorant", "Lazy", "Maybe if you use your brain, you would understand";
- Engaged in inappropriate conversations with his class to include, but not limited to, prostitution and inappropriate jokes with sexual innuendos;
- Questioned two bi-racial students about their racial makeup in front of his class and asked them if they eat "hamburgers or African-American food"; and
- Made an inappropriate comment in front of the class, "I don't see any black people". The class responded, "That's racist", then a student said that it was just a matter of opinion and he (the Educator) could be racist if he wants. Educator responded, "Yeah, that's right".

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

- Suspend Educator Andrews's license for three (3) years;
- Assess a $100 fine;
- Require Educator to complete the following training through ArkansasIDEAS portal within one year of the State Board's final order:

    - IAD14504: Embracing Diversity: A Look in the Mirror (1.5 Hours);
    - IAD14505: Embracing Diversity: Effective Teaching (13 Hours);
    - IAE14017: The Learning Classroom: Feelings Count (.5 Hours);
    - IAD14519: Understanding Student Motivation (12 Hours);

    - IAD14526: The Art and Science of Teaching (12.5 Hours); and
    - IAD14527: The Reflective Educator (7.5 Hours);

- Require him to submit written reflections on how each training will impact his teaching and interactions with students; must be submitted to the PLSB Office within one (1) year of the State Board's final order; and
- Require that all associated costs be paid by Educator Andrews.

g. On October 9, 2017, Educator Andrews, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. On November 9, 2017, Educator Andrews rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.

h. On March 28, 2018, Educator Andrews, along with his attorney, Jennifer Williams Flinn, appeared for his evidentiary hearing before the Hearing Subcommittee.

i. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing, the Hearing Subcommittee deliberated in executive session. The Hearing Subcommittee found there was a preponderance of evidence that Educator Andrews violated Standards 1 and 2 of the Code of Ethics. In open session, a motion was made, seconded, and adopted to impose the following sanctions:

- Suspend Educator Andrews's license for one (1) year;
- Assess a $100 fine;
- Require Educator to complete the following training through ArkansasIDEAS portal within one year of the State Board's final order:

    - IAD14504: Embracing Diversity: A Look in the Mirror (1.5 Hours);
    - IAD14505: Embracing Diversity: Effective Teaching (13 Hours);
    - IAE14017: The Learning Classroom: Feelings Count (.5 Hours);
    - IAD14519: Understanding Student Motivation (12 Hours);
    - IAD14526: The Art and Science of Teaching (12.5 Hours);
    - IAD14527: The Reflective Educator (7.5 Hours);

- Require him to submit written reflections on how each training will impact teaching and interactions with students; must be submitted to the PLSB Office within one (1) year of the State Board's final order; and
- Require that all associated costs be paid by Educator Andrews.

j. At today's meeting, the Hearing 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 Hearing Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Andrews for his violation of the Code of Ethics.

b. Educator Andrews is cautioned that his non-payment of the assessed fine of $100 will result in the continued suspension of his license until the fine is paid in full.

c. Educator Andrews 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.

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

IT IS SO ORDERED.

Dr. Jay Barth, Chair
Arkansas State Board of Education