

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
JEFFREY WAYNE STEWART
MARCH 8, 2018**

PLSB CASE NO. 18-010

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on March 8, 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 Jeffrey Wayne Stewart (Educator Stewart). Based upon Educator Stewart'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 Board hereby states as follows:

I. Findings of Fact

- a. The Arkansas Department of Education issued Educator Stewart a standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Ethics Subcommittee received an allegation that Educator Stewart violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (Code of Ethics) promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On July 10, 2017, the Ethics Subcommittee authorized an investigation into allegations that Educator Stewart 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. On July 12, 2017, Educator Stewart was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On January 5, 2018, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Stewart violated Standards 1 and 2 of the Code of Ethics when he allowed/directed students to drive a school bus on school grounds in violation of state laws.

The Ethics Subcommittee recommended that the Board:

- Issue a written reprimand;
 - Assess a \$50 fine to be paid within ninety (90) days of the State Board's final order;
 - Require educator to read *The Driving Instructor's Handbook* by John Miller, (ISBN 10:0749468408 or IABN: 13:978-0749468408);
 - Require educator to submit a written reflection on the reading as it relates to the impact on students; statement must be submitted to the PLSB office within ninety (90) days of the State Board's final order; and
 - All costs paid by Educator Stewart.
- f. On January 8, 2018, Educator Stewart was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
 - g. Educator Stewart did not request an evidentiary hearing within the allotted timeframe, thereby waiving his right to any further notice, hearing, or any other rights he might 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 Stewart for his violation of the Code of Ethics and adopts the recommendation for actions as outlined by the Ethic's Subcommittee.
- b. Educator Stewart 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 for two (2) years in Educator Stewart's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education