

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
COLTON S. TURNER
DECEMBER 14, 2017**

PLSB CASE NO. 16-095

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on December 14, 2017, the Arkansas State Board of Education (Board) considered the matter of Colton S. Turner (Educator Turner) concerning the non-payment of a fine assessed by the Board. Based upon the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. § 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact

- a. On May 6, 2016, the Professional Licensure Standards Board (PLSB) Ethics Subcommittee (Ethics Subcommittee) unanimously found reasonable belief that Educator Turner violated Standard 1 of the Code of Ethics for Arkansas Educator.

Additionally, the Ethics Subcommittee recommended that the Board:

- Issue a written reprimand;
- Assess a \$50.00 fine;
- Require educator to read *Cybertraps for Educators* by Frederick S. Lane, (ISBN-10:1507550758 or ISBN-13:978-150550755);
- Provide a written reflection to the PLSB office on how the assigned reading will impact educator's professional interaction with students; the required reading and written reflection is to be completed within six (6) months of the Board's final order; and
- All costs to be paid by educator Turner.

- b. On May 26, 2016, Educator Turner accepted the Ethics Subcommittee's recommendation, thereby waiving his right to any further notice or 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.
- c. On July 14, 2016, the Board entered its Findings of Fact, Conclusions of Law and Order (Order) in which it adopted the Ethics Subcommittee's findings and recommended sanctions.
- d. In this order, the Board cautioned Educator Turner that failure to pay the fine within ninety (90) days from the date of the order may result in more severe discipline, including permanent revocation of his license.
- e. On July 25, 2016, the PLSB office mailed Educator Turner the Board's Order via certified and first-class mail; this correspondence was received by Educator Turner on August 12, 2016.
- f. On July 25, 2017 and November 14, 2017, the PLSB office mailed Educator Turner letters via certified and first-class mail notifying him that the PLSB office would request suspension of his license until the required payment is received; the July 25th certified letter was returned "unclaimed", but the November 14th certified letter was received by Educator Turner on November 22, 2017.
- h. Educator Turner has not responded to the PLSB's collection attempts and has not submitted payment of the assessed fine.


II. Conclusions of Law

- a. Upon consideration of the evidence presented at the meeting and pursuant to 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 unanimously voted to suspend Educator Turner's license until payment of the assessed fifty dollar (\$50.00) fine is received by the Arkansas Department of Education's PLSB office.

b. Furthermore, Educator Turner's license shall be reflected as suspended on the Arkansas Department of Education's public website for licensure until payment of the assessed fifty dollar (\$50.00) fine is received by the Arkansas Department of Education's PLSB office.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education