

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
BENNIE STANTON BUTLER
DECEMBER 14, 2017**

PLSB CASE NO. 17-031

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 Bennie Stanton Butler (Educator Butler) 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 November 7, 2016, the Professional Licensure Standards Board (PLSB) Ethics Subcommittee (Ethics Subcommittee) unanimously found reasonable belief that Educator Butler violated Standards 1 and 2 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 complete training through the ArkansasIDEAS online portal taking *Course IAD 14491 Classroom Management: Managing Challenging Behavior* (2 hours), *Course IAD 14492 Classroom Management: Building Effective Relationships, 2nd Edition* (11 hours), and *Course TCD 14562 Technology in Schools: Planning Using the LOCATE Model* (1.5 hours);
- Provide a written reflection to the PLSB Office addressing how each training will impact instruction and student interaction in the classroom; all training and written reflections are to be completed within sixty (60) days of the Board's final order; and

- All costs to be paid by educator Butler.
- b. Educator Butler did not respond to 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 February 9, 2017, 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 Butler 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 February 15, 2017, the PLSB office mailed Educator Butler the Board's Order via certified and first-class mail; this correspondence was received by Educator Butler on February 18, 2017.
 - f. On May 19, 2017, the PLSB office mailed Educator Butler a second request for payment via certified and first-class mail; this correspondence was received by Educator Butler on May 26, 2017.
 - g. On July 25, 2017 and November 14, 2017, the PLSB office mailed Educator Butler 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 mail was returned as "unclaimed", but the first-class mail was not returned. He received the November 14th correspondence on November 17, 2017.

- h. Educator Butler 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 Butler'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 Butler'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