

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
DEANDRE MARTRELL SMITH
NOVEMBER 9, 2017**

PLSB CASE NO. 17-181

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on November 9, 2017, 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 Deandre Martrell Smith (Educator Smith). Based upon Educator Smith'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 Smith a standard five-year teaching license on January 1, 2016, valid until December 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Smith 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 April 7, 2017, the Ethics Subcommittee authorized an investigation into allegations that Educator Smith violated 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 April 11, 2017, Educator Smith was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On September 1, 2017, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Smith violated Standard 2 of the Code of Ethics when he engaged in a verbal confrontation with another educator in the presence of other educators and/or students.

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 complete an Anger Management class provided by a licensed mental health provider (as evidenced by a completion certificate), within ninety (90) days of the State Board's final order;
- Require educator to complete training through the ArkansasIDEAS online portal taking *Course IAD 14523 Conflict Resolution: An Introduction* (2.5 hours),
- Require educator to complete training through the ArkansasIDEAS online portal taking *Course SPB 14008 Behavior is Communication* (1.5 hours). (All coursework must be completed within ninety (90) days following the State Board's final order);
- Require educator to submit a written reflection to the PLSB Office on each training indicating how educator benefitted from the training (must be submitted within ninety (90) days of the State Board's final order); and
- All costs will be paid by Educator Smith.

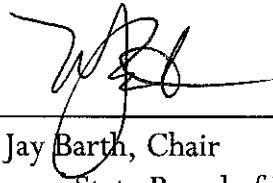
- f. On September 6, 2017, Educator Smith was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. On October 4, 2017, Educator Smith accepted the Ethics Subcommittee's recommendation, thereby waiving his right to any further notice, 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 Smith for his violation of the Code of Ethics.
- b. Educator Smith 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 Smith'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