

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
JAMIE LYNN KAPELLA  
NOVEMBER 9, 2017**

**PLSB CASE NO. 17-222**

**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 Jamie Lynn Kapella (Educator Kapella). Based upon Educator Kapella's failure to respond to 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 Kapella a standard five-year teaching license on January 1, 2014, valid until December 31, 2018.
- b. The Ethics Subcommittee received an allegation that Educator Kapella 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 June 5, 2017, the Ethics Subcommittee authorized an investigation into allegations that Educator Kapella 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 June 7, 2017, Educator Kapella 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 Kapella violated Standard 2 of the Code of Ethics when she violated district's sick leave policies.

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 review sick leave policies; and
  - Require educator to prepare a plan of action to reduce the number of absences. Plan due to the PLSB Office ninety (90) days following the State Board's final order.
- f. On September 6, 2017, Educator Kapella was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
  - g. Educator Kapella did not respond to the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice, hearing, or any other rights she 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 Kapella for her violation of the Code of Ethics.
- b. Educator Kapella 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 her license.

- c. This order shall remain for two (2) years in Educator Kapella's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



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Dr. Jay Barth, Chair  
Arkansas State Board of Education