

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
MICHAEL A. PITTS
SEPTEMBER 14, 2017**

PLSB CASE NO. 17-075

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on September 14, 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 Michael A. Pitts (“Educator Pitts”). Based upon Educator Pitts’ 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 Pitts a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Pitts 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 October 7, 2016, the Ethics Subcommittee authorized an investigation into the allegation that Educator Pitts 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 October 13, 2016, Educator Pitts was notified of the Ethics Subcommittee's authorization to investigate the allegation.
- e. On April 7, 2017, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Pitts violated Standards 1 and 2 when he:
- Inappropriately communicated with a student on social media (Snap Chat), and
 - Without prior authorization, gave a student a ride home.

The Ethics Subcommittee recommended that the Board issue a written warning.

- f. On April 12, 2017, Educator Pitts was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Pitts did not respond to the Ethics Subcommittee's recommendation, thereby waiving his right to any further notice, hearing, and 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. On June 8, 2017, the State Board remanded Educator Pitts' case back to the Ethics Subcommittee requesting an amendment to the initial recommendation.
- i. On July 10, 2017, the Ethics Subcommittee amended the initial recommendation as follows:

- (i) Written Warning;
- (ii) Training through ArkansasIdeas, Course IAD14492 *Classroom Management: Building Effective Relationships, 2nd Edition* (11 hours),

- and Course TCC14435 *Professional Licensure Standards Board (PLSB) Social Media Guidelines* (3 hours);
- (iii) Provide a written reflection on each training to the PLSB office addressing how this training will impact your teaching and classroom management; and
 - (iv) Both training and written reflections to be completed within ninety (90) days of the SBOE Final Order. (All costs paid by Educator Pitts).
- j. On July 11, 2017, Educator Pitts was notified of the Ethics Subcommittee's amended reasonable belief determination and recommendation by certified and regular mail.
- k. Educator Pitts did not respond to the Ethics Subcommittee's amended recommendation, thereby waiving his right to any further notice, hearing, and 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.
- l. At today's meeting, the Ethics Subcommittee's amended 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 Pitts for his violation of the Code of Ethics and adopts the recommendation for actions as outlined by the Ethic's Subcommittee.
- b. Educator Pitts is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of his license.

- c. This order shall remain permanently in Educator Pitts' professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education