

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
COLTON S. TURNER  
AUGUST 10, 2017**

**PLSB CASE NO. 17-115**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

At its regular meeting on August 10, 2017, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Colton S. Turner (Educator Turner). Based upon Educator Turner's consent to the 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 Colton S. Turner a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Educator Turner violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On January 17, 2017, the Subcommittee authorized an investigation into allegations that Educator Turner violated Standard 1: An educator maintains a professional relationship with each student, both in and outside of the classroom; 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; and Standard 8: An educator refrains from using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at school-sponsored activities involving students.

- d. Educator Turner was notified on January 18, 2017, of the subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on June 5, 2017, the subcommittee unanimously found that reasonable belief existed to substantiate violations of Standards 1, 2, and 8 in that Educator Turner:
  - Purchased tobacco (dip) for a student(s);
  - Failed to provide instruction during a two - three week period when he showed movies/television shows to his classes; and
  - Possessed tobacco or tobacco-related products while on school premises.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
  - (i) Suspend Educator Turner's license for two (2) years;
  - (ii) Assess a \$100 fine;
  - (iii) Require him to complete training through the ArkansasIDEAS online portal taking Course IAD14492: *Classroom Management: Building Effective Relationships with Students, 2<sup>nd</sup> Edition* (11 hours);
  - (iv) Require him to write a reflection statement on how this training will impact his classroom teaching and learning environment;
  - (v) The written reflection must be submitted to the PLSB office within ninety (90) days following the Board's final order; and
  - (vi) Require that all associated costs be paid by Educator Turner.

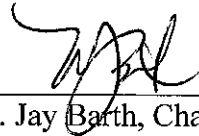
- g. On June 9, 2017, Educator Turner, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. On July 10, 2017, Educator Turner accepted the Ethics Subcommittee's recommendation, thereby waiving his right to any further notice, hearing, or any other rights he may 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 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 Turner for his violation of the Code of Ethics and adopts the recommendation for actions as outlined by the Ethic's Subcommittee.
- b. Educator Turner is cautioned that his non-payment of the assessed fine of \$100 will result in the continued suspension of his license until the fine is paid in full.
- c. Educator Turner is cautioned that further violations of the Code of Ethics or failure to pay the fine within thirty (30) days from the date of this order may result in more severe discipline including permanent revocation of his license.

- d. This order shall remain permanently in Educator Turner's professional licensure file and 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