

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:
ROBERT ANTHONY DAVIS
JULY 13, 2017

PLSB CASE NO. 17-098

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on July 13 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

Robert Anthony Davis (“Educator Davis”). Based upon Educator Davis’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 Davis a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Davis 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 November 7, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Davis violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On November 9, 2016, Educator Davis was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On May 5, 2017, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Davis violated Standard 1 when he:
- Said, "[Student] you are a dumbass" or similar to a student;
 - Said, "[Student] you just suck" or similar to a student;
 - Said, "You have no toughness" or similar to a student;
 - Said, "You are weak" or similar to a student;
 - Said, "You are not tough since you quit in the 7th grade" or similar to a student;
 - Told a student that he [the student] always sulked, acted like a baby, was gutless, or similar;
 - When in the presence of a student, threw an object [trophy] on the ground;
 - With demeaning intent, told a student, "Don't be a [student's name]", or similar.

The Ethics Subcommittee recommended that the Board (i) issue Educator Davis a written reprimand; (ii) assess a fine of fifty dollars (\$50) to be paid within ninety (90) days of the State Board's Final Order; (iii) require him to complete training through ArkansasIDEAS online portal taking Course IAD14492: *Classroom Management: Building Effective Relationships* 2nd Edition (11 Hours); (iv) require him to write a written reflection on how this training will affect his interaction with students in the classroom; (v) require him to submit the written reflection to the PLSB office within sixty (60) days following the State Board's Final Order; and (vi) require that all associated costs be paid by Educator Davis.

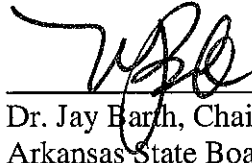
- f. On May 11, 2017, Educator Davis was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Davis did not respond to the Ethics Subcommittee's recommendation and he did not request a hearing, thereby waiving his right 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 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 Code of Ethics, the Board adopts the Ethics Subcommittee's recommendation.
- b. Accordingly, the Board admonishes Educator Davis for his violation of the Code of Ethics; issues a written reprimand; assesses a fine of \$50.00, to be paid within ninety (90) days of the State Board's Final Order; requires him to complete training through ArkansasIDEAS online portal taking Course IAD14492: *Classroom Management: Building Effective Relationships 2nd Edition* (11 Hours); requires him to write a written reflection on how this training will affect his interaction with students in the classroom; requires him to submit the written reflection to the PLSB office within sixty (60) days following the State Board's Final Order; and requires that all associated costs be paid by Educator Davis.

- c. Educator Davis 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.
- d. This order shall remain for two (2) years in Educator Davis'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