

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
FEBRUARY 9, 2017**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE BRYAN MATTHEW WALTERS, PLSB CASE NO. 16-172**

At its regular meeting on February 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 Bryan Matthew Walters (“Educator Walters”). Based upon Educator Walters’ 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 Walters a standard five-year license effective January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Walters 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 July 11, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Walters violated 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. On July 21, 2016, Educator Walters was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On December 2, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Walters violated Standard 8 of the Code of Ethics when he:

Used, possessed, and /or was under the influence of alcohol while on school premises.


The Ethics Subcommittee recommended that the State Board issue a one (1) year license suspension; assess a fine of \$100; require participation in an alcohol treatment program; provide quarterly reports showing monthly participation in the program; provide proof of successful completion of an alcohol treatment program; and provide a written statement from a licensed counselor that he is fit to return to the classroom. All documentation completed and provided to the PLSB office by the end of the suspension period and all costs are to be paid by the educator.

- f. On December 8, 2016, Educator Walters was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Walters did not respond to the recommendation and he did not request a hearing thereby waiving his right to any further notice or 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 recommendations of the Ethics Subcommittee.
- b. Accordingly, the Board admonishes Educator Walters for his violation of the Code of Ethics; issues a one (1) year suspension on his license; requires participation in an alcohol treatment program; requires quarterly reports showing monthly participation in the program; and requires a written statement from a licensed counselor that he is fit to return to the classroom. All documentation completed and provided to the PLSB office by the end of the suspension period and all costs are to be paid by the educator.
- c. Educator Walters is cautioned that non-payment of the assessed fine of \$100 will result in the continued suspension of his license until the fine is paid in full.
- d. Educator Walters 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.
- e. This order shall remain permanently in Educator Walters' professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Mireya Reith, Chair
Arkansas State Board of Education