

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER  
IN RE BENNIE STANTON BUTLER, PLSB CASE NO. 17-031**

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 Bennie Stanton Butler (“Educator Butler”). Based upon Educator Butler’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 Butler a standard five-year teaching license effective January 1, 2016, valid until December 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Butler 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 Butler violated Standards 1 and 2: 1. An educator maintains a professional relationship with each student, both inside and outside the classroom. 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 July 22, 2016, Educator Butler was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On November 7, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Butler violated Standards 1 and 2 of the Code of Ethics when he:
- Showed an inappropriate video to one or more students;
  - Made an inappropriate comment in the presence of one or more students;
  - Showed an inappropriate video to one or more students during class; and
  - Inappropriately commented on a video shown during class while in the presence of one or more students.

The Ethics Subcommittee recommends that the Board issue a written reprimand to Educator Butler, assess a \$50.00 fine; require him to complete training through the ArkansasIDEAS online portal, Course IAD14491 *Classroom Management: Managing Challenging Behavior* (2 hours); Course IAD14492 *Classroom Management: Building Effective Relationships, 2<sup>nd</sup> Edition* (11 hours); and TCD14562 *Technology in Schools; Planning Using the LOCATE Model* (1.5 hours) and provide a written reflection to the PLSB office addressing how each training will impact instruction and student interaction in his classroom. All training and written reflections are to be completed within sixty (60) days of the Board's final order. All costs to be paid by the educator.

- f. On November 16, 2016, Educator Butler was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Butler 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.

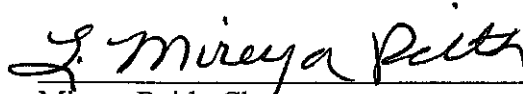
- h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

## **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 State Board adopts the recommendations of the Ethics Subcommittee.
- b. Accordingly, the Board admonishes Educator Butler for his violation of the Code of Ethics; issues a written reprimand; assesses a \$50.00 fine; and requires him to complete training through the ArkansasIDEAS online portal, to include Course IAD14491 *Classroom Management: Managing Challenging Behavior* (2 hours); Course IAD14492 *Classroom Management: Building Effective Relationships, 2<sup>nd</sup> Edition* (11 hours); and TCD14562 *Technology in Schools; Planning Using the LOCATE Model* (1.5 hours); and provide a written reflection to the PLSB office addressing how each training will impact instruction and student interaction in his classroom. All training and written reflections are to be completed within sixty (60) days of the Board order. All costs to be paid by the educator.
- c. Educator Butler 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.

- b. This order shall in Educator Butler's professional licensure file for two years and permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
Mireya Reith, Chair  
Arkansas State Board of Education