

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION  
JANUARY 12, 2017**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER  
IN RE RUBY JEAN FOWLER, PLSB CASE NO. 16-109**

At its regular meeting on January 12, 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 Ruby Jean Fowler (“Educator Fowler”). Based upon Educator Fowler’s acceptance of the Ethics Subcommittee’s recommendation and the evidence presented, in accordance with the Administrative Procedure 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 Fowler a standard five-year teaching license on January 1, 2016, valid until December 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Fowler 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 March 4, 2016, the Ethics Subcommittee authorized an investigation into the allegation that Educator Fowler violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On March 7, 2016, Educator Fowler was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On August 5, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Fowler violated Standard 1 when she:

- Told or otherwise indicated to a student that she was being bullied by a school district employee; and
- Asked or otherwise encouraged a student to write a false complaint about a school district employee.

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

f. On August 10, 2016, Educator Fowler, through her attorney, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. On August 26, 2016, Educator Fowler, through her attorney, accepted the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice, hearing, or any other rights she 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 October 13, 2016, the final order was presented to the Board for approval.

i. The Board returned the case to the Ethics Subcommittee asking that it review the recommendation to determine whether additional training would benefit the educator.

j. On November 7, 2016, the Ethics Subcommittee recommended adding the following training requirement to its original reasonable belief recommendation: require Educator Fowler to read *Stop Workplace Drama* by Marlene Chism and *Building Trusting Relationships for School Improvement* by Cori Brewster. Reading assignments and written reflections to be completed within sixty (60) days of the Board's final order. All costs paid by educator.

- j. Ms. Fowler accepted the Ethics Subcommittee's recommendation on November 19, 2016.
- k. 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 Fowler for her violation of the Code of Ethics and issues a written warning, and requires completion of the reading assignments and written reflections as set forth above.
- c. Educator Fowler is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of her license.
- d. This order shall remain for two (2) years in Educator Fowler's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
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Mireya Reith, Chair  
Arkansas State Board of Education