

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE NASH K. SIMPSON, PLSB CASE NO. 16-144**

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 Nash K. Simpson (“Educator Simpson”). Based upon Educator Simpson’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 Simpson a Nontraditional teaching license on September 19, 2014, effective August 1, 2014, and valid until July 31, 2016.
- b. The Ethics Subcommittee received an allegation that Educator Simpson 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 May 6, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Simpson violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On May 16, 2016, Educator Simpson was notified of the Ethics Subcommittee’s authorization to investigate the allegations.

e. On October 7, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Simpson violated Standard 1 of the Code of Ethics when he:

- Used the "F" word in the presence of one or more students; and
- By telling or otherwise indicating that one or more students should watch "Why White Girls Should Date Black Boys" or a similarly titled video.

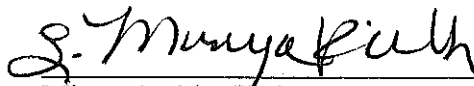
The Ethics Subcommittee recommended that the Board issue a written reprimand to Educator Simpson; assess a fine of \$50.00; require him to complete training through the ArkansasIDEAS online portal, specifically (i) IAD14492- *Classroom Management: Building Effective Relationships, 2nd Edition*, (ii) IAE14017- *The Learning Classroom: Feelings Count*, and (iii) SOE14002 *Social Studies in Action Exploring Unity and Diversity*. Coursework and written reflections on his training to be submitted within sixty (60) days to the PLSB office. All costs paid by Educator Simpson.

- f. On October 11, 2016, and October 24, 2016, Educator Simpson was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Simpson 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 Simpson for his violation of the Code of Ethics, issues a written reprimand, assesses a fine of \$50.00, and requires training and written reflection as indicated above.
- c. Educator Simpson 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 Horton's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Mireya Reith, Chair
Arkansas State Board of Education