

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER  
IN RE TINA MICHELLE BREWER, PLSB CASE NO. 16-169**

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 Tina Michelle Brewer (Educator Brewer). Based upon Educator Brewer'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:**

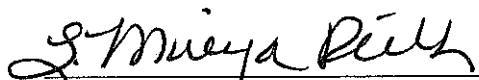
- a. The Arkansas Department of Education issued Educator Brewer a standard five-year teaching license on January 1, 2016, valid until December 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Brewer violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (Code of Ethics) promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. The Ethics Subcommittee authorized an investigation into allegations that Educator Brewer violated Standards 1 and 2: An educator maintains a professional relationship with each student, both in 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. Educator Brewer was notified on June 9, 2016, of the Ethics Subcommittee's authorization on June 3, 2016, to investigate this allegation.
- e. After considering the investigator's report and evidence on October 7, 2016, the Ethics Subcommittee unanimously found that Educator Brewer violated Standards 1 and 2, when she:
- Inappropriately responded when a student urinated on his clothes and allowed a student to remain in leggings or similar for an inappropriate reason.
- f. The Ethics Subcommittee recommended that the Board place Educator Brewer's license on probation for one (1) year; assess a fine of \$75.00; require her to complete training through the ArkansasIDEAS online portal, specifically, IAE14017 *The Learning Classroom: Feelings Count* (.5 hours), IAD14492- *Classroom Management: Building Effective Relationships, 2<sup>nd</sup> Edition* (11 hours), with written reflections on each training submitted to the PLSB office. All training and the submission of written reflections shall be completed within sixty (60) days of the date of this order and all costs paid by educator.
- g. Educator Brewer was notified of the Ethic Subcommittee's reasonable belief determination and recommendation on October 13, 2016, by certified and regular mail. Educator Brewer did not respond to the recommendation and she did not request a hearing, thereby waiving her right to any further notice or 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. 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 orders that Educator Brewer's license be placed on probation for one (1) year, assesses a fine of \$75.00, and requires that she complete the training and written reflections as set forth above.
- c. Educator Brewer 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 her license.
- d. This order shall remain permanently in Educator Brewer's professional licensure file and 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