

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
AUGUST 11, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE KALEY S. BREWER, PLSB CASE NO. 16-083**

At its regular meeting on August 11, 2016, 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 Kaley S. 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 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 Brewer a standard five year license on August 1, 2013, valid until December 31, 2017.
- 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. On January 8, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Brewer violated Standards 1 and 2: 1. 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. On January 15, 2016, Educator Brewer was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On May 6, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Brewer violated Standards 1 and 2 when she:
 - Inappropriately discussed her personal life with one or more students;
and
 - Incompetently provided classroom instruction to one or more students.

The Ethics Subcommittee recommended that the Board issue Educator Brewer a written reprimand and assess a fine of \$50.00.

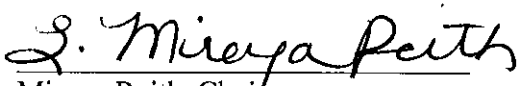
- f. On May 16, 2016, Educator Brewer was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Brewer did not respond to the Ethics Subcommittee's recommendation within the required thirty (30) day time period, thereby waiving 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. 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 Brewer for her violation of the Code of Ethics, issues a written reprimand and assesses a fine of \$50.00.

- 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 for two (2) years in Educator Brewer'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