

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:
DEVIN DELYNN CARR
DECEMBER 8, 2022

PLSB CASE NO. 22-129

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on December 8, 2022, 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 Devin Delynn Carr (“Educator Carr”). Based upon Educator Carr’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 Carr a standard five-year teaching license on January 1, 2018, valid until December 31, 2022.
- b. The Ethics Subcommittee received an allegation that Educator Carr violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. On May 6, 2022, the Ethics Subcommittee authorized an investigation into allegations that Educator Carr violated *Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom;* *Standard 2: an educator maintains competence regarding his or her professional*

practice, inclusive of professional and ethical behavior, skills, knowledge, dispositions, and responsibilities relating to his or her organizational position;

- d. Educator Carr was notified on May 9, 2022, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on September 1, 2022, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standards 1 and 2 of the Code of Ethics. Educator Carr rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- f. On October 12, 2022, Educator Carr and his attorney appeared for his evidentiary hearing before the Hearing Subcommittee. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing, the Hearing Subcommittee found that a preponderance of evidence existed to substantiate violation of Standards 1 and 2 in that Educator Carr:
 - Engaged in inappropriate communications with a student or students (Sexual).
 - Engaged in inappropriate interactions with a student or students.
 - Exhibited inappropriate disposition inclusive of professional and ethical behavior.
 - Violated district, state or federal policies or law.
- g. The Hearing Subcommittee recommended that the State Board take the following actions:
 1. Permanent revocation of license.
- h. On October 13, 2022, Educator Carr's attorney was notified of the Hearing Subcommittee's final determination and recommendation by secure server and by certified mail on October 31, 2022. Educator Carr has not responded to the Hearing Subcommittee's recommendation thereby waiving his right to any further notice,

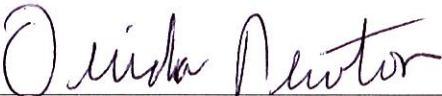
hearing, or any other rights he may have under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

- i. 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, Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the Ethics Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Carr for his violation of the Code of Ethics.
- b. This order shall remain permanently in Educator Carr's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Ouida Newton, Chair
Arkansas State Board of Education