

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

MADISON L HARWELL

APRIL 11, 2024

PLSB CASE NO. 24-120

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on April 11, 2024, 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 Educator Madison L. Harwell (“Educator Harwell”). Based upon Educator Harwell’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 Harwell a standard five-year teaching license on June 22, 2022, valid until December 31, 2026.
- b. The Ethics Subcommittee received an allegation that Educator Harwell 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 December 1, 2023, the Ethics Subcommittee authorized an investigation into allegations that Educator Harwell 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; and Standard 8: an educator, while on school premises or at school-sponsored activities involving students, refrains from: a) using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances, and/or possessing items prohibited by law, b) possessing or using tobacco or tobacco-related products, e-cigarettes, e-liquid, or vapor products, or c) abusing/misusing prescription medications or other authorized substances as evidenced by impairment.

- d. Educator Harwell was notified on December 1, 2024, of the Ethics Subcommittee's authorization to investigate this allegation.
- c. After considering the investigator's report and evidence on March 1, 2024, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 1, 2, and 8 in that Educator Harwell:
 - Inappropriate interaction with student(s).
 - Exhibited inappropriate disposition inclusive of professional and ethical behavior.
 - Violated district, state or federal policies or law.
 - Under the influence of alcohol.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
 - (1) Suspension of License for 1 year followed by a Probation of License for 1 year;
 - (2) Assess a \$400.00 fine (due within 90 days of the State Board Order);
 - (3) Require Educator to complete the following coursework/readings:
 - (a) Code of Ethics Training Provided by the PLSB (1.5 Hours)

(b) Title: The 85% Solution: How Personal Accountability Guarantees
Success -- No Nonsense, No Excuses (256p) Author: Linda Galindo
ISBN 10: ISBN 13: 9780470500163

- (4) Educator to provide written reflection on each training/book on how they will impact her future practice as an educator. Due to the PLSB for approval within 30 days prior to the end of their suspension for suspension removal;
 - (5) A letter from a licensed medical professional that the educator is fit to return to the classroom prior to moving to probation.
 - (6) Quarterly reports once on probation from the educator's supervisor on following school district policies and procedures.
 - (7) Require Educator to pay all associated costs.
- g. On March 1, 2024, Educator Harwell, was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Harwell accepted the Ethics Subcommittee's recommendation thereby waiving her right to any further notice, hearing, or any other rights she may 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.

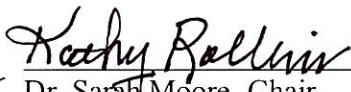
II. Conclusions of Law

- a. Upon consideration of the evidence presented at the meeting, 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 Madison Harwell for her violation of the Code of Ethics.

- b. Educator Harwell is cautioned that her non-payment of the assessed fine of \$400.00 may result in the suspension of her license until the fine is paid in full.
- c. Educator Harwell 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 Harwell's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

for 

Dr. Sarah Moore, Chair
Arkansas State Board of Education