

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
SEPTEMBER 10, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE RUSSELL ANTHONY DUPWE; PLSB CASE NO. 15-102**

At its regular meeting on September 10, 2015, 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 Russell Anthony Dupwe (“Educator Dupwe”). Based upon Educator Dupwe’s consent to the Ethics Subcommittee’s recommendations 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 Russell Anthony Dupwe a standard five-year teaching license on January 1, 2012, valid until December 31, 2016.
- b. The Ethics Subcommittee received an allegation that Educator Dupwe 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 March 24, 2015, the Ethics Subcommittee authorized an investigation into the allegation that Educator Dupwe violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On April 1, 2015, and April 14, 2015, Educator Dupwe was notified of the Ethics Subcommittee’s authorization to investigate the allegation.

e. On July 10, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 1 in that Educator Dupwe:

- Grabbed a student from behind by the hood of his shirt; got very close to the student's face in speaking to him; and placed his hand on the student's back, ushering him toward his seat.

The Ethics Subcommittee recommended that the Board place Educator Dupwe's license on probation for one (1) year and assess a fine of \$75.00.

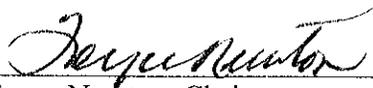
- f. On July 16, 2015, Educator Dupwe was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. On July 20, 2015, Educator Dupwe accepted the recommendation thereby waiving any other rights he might be entitled to under the Administrative Procedure Act including those set forth in Ark. Code Ann. §§ 25-15-211 and 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. Conclusion of Law:

- a. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 4-17-422, 6-17-428, and 25-15-201 et seq., and the Code of Ethics, the Board adopts the Ethics Subcommittee's recommendations.
- b. Accordingly, the Board admonishes Educator Dupwe for his violation of the Code of Ethics, orders his license to be placed on probation for one (1) year, and assesses a fine of \$75.00.

- c. Educator Dupwe 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 permanently in Educator Dupwe's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education