

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
DEAN RICHARD LIVINGSTON
NOVEMBER 7, 2024**

PLSB CASE NO. 24-270

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on November 7, 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 Dean Richard Livingston (“Educator Livingston”). Based upon Educator Livingston’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:

1) Findings of Fact

- a) The Arkansas Department of Education issued Educator Livingston a standard five-year teaching license on January 1, 2020, valid until December 31, 2024.
- b) The Ethics Subcommittee received an allegation that Educator Livingston 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 September 1, 2024, the Ethics Subcommittee authorized an investigation into allegations that Educator Livingston violated *Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom; and 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 Livingston was notified on June 10, 2024, of the Ethics Subcommittee's authorization to investigate this allegation.
- e) After considering the investigator's report and evidence on October 4, 2024, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standards 1 and 2 in that Educator Livingston:
- Inappropriate interactions with student(s).
 - Inappropriate communication with student(s).
 - Exhibited inappropriate disposition inclusive of professional and ethical behavior.
 - Violated district, state or federal policies or law.
- f) The Ethics Subcommittee recommended that the State Board take the following actions:
- (1) Probation of License for 1 year;
 - (2) Assess a \$250.00 fine (due within 90 days of the State Board Order);
 - (3) Require Educator to complete the following coursework/readings:
 - (a) Code of Ethics for Arkansas Educators by PLSB Staff (1.5 Hours)
 - (b) Title: I Notice: A Step-by-Step Guide to Transform Student Potential
Through Building Intentional Relationships Author: Claire E. Hallinan
ISBN-10: 1733035613
 - (c) SPC23017 All In: Everyone's Unique, Everyone Belongs - Special
Education Inclusive Practices (1.5 Credit Hours)
 - (4) Educator to provide written reflection on each training/book regarding how the educator will improve his interactions with students in the future. Due to the PLSB for approval within 90 days of the State Board Order;

- (5) Quarterly reports while on probation from the educator's supervisor regarding how her interactions and communication with students is progressing; and
- (6) Require Educator to pay all associated costs.
- g) On October 6, 2024, Educator Livingston was notified of the Ethics Subcommittee's initial determination and recommendation by secure email. Educator Livingston failed to respond to the Ethics 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.
- h) At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

2) 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 Dean Livingston for his violation of the Code of Ethics.
- b) Educator Livingston is cautioned that his non-payment of the assessed fine of \$250.00 may result in the suspension of his license until the fine is paid in full.
- c) Educator Livingston 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 Livingston's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Sarah Moore, Chair
Arkansas State Board of Education