

**OKLAHOMA STATE BOARD OF EDUCATION
ADMINISTRATIVE COMPLAINT**

STATE OF OKLAHOMA, ex. rel.)	
STATE DEPARTMENT OF EDUCATION,)	
)	
Applicant,)	
)	
vs.)	2021-13
)	
RONALD AKINS)	
)	
Respondent.)	

EMERGENCY ORDER

COMES NOW, On this 12th day of July 2021, this matter came on for consideration the Application for Emergency Order to Summarily Suspend Teaching Certification (the “Application”) of Ronald Akins. The Application was presented to the Oklahoma State Board of Education (the “Board”) by Brad Clark, General Counsel for the Board.

STATEMENT OF FACTS

1. Akins holds a valid Oklahoma teaching certificate (the “Certificate”), number 300092, via Alternative certification.
2. Akins is currently certified to teach Physical Education/Health/Safety Grades 5 through 12 and US History/OK History/Government/Economics Grades 5 through 12.
3. Akins was most recently employed as a teacher at Ninnekah Public Schools (the “District”).
4. On June 29, 2021, Akins was charged in Grady County with two counts of Sexual Battery in violation of 21 O.S. § 1123(B), a Felony, and with two counts Rape by Instrumentation in violation of 21 O.S. § 1111.1, a Felony. *See* Grady County Information (“Information”), attached to the Application as Exhibit “A.”

5. As described in the Information, Akins was charged with two counts of Sexual Battery for intentionally touching the breast and pubic area of a Ninnekah High School Student in a lewd and lavish manner. Additionally, Akins was charged with two counts of Rape by Instrumentation for using his finger to penetrate the vagina of a Ninnekah High School Student. *Id.*

6. In an Oklahoma Probable Cause Affidavit filed in Grady County on June 29, 2021, Law Enforcement reports that they were called by an [REDACTED] who claimed she had been inappropriately touched by [REDACTED], Ronald Akins. She told Law Enforcement that she was a student at Ninnekah Public Schools when the incidents occurred. And, that Akins had been her [REDACTED] coach [REDACTED]. *See* Probable Cause Affidavit (“Affidavit”), attached to the Application as Exhibit “B.”

7. In the Affidavit, the student claims that the inappropriate touching happened over the span of four incidents detailed hereafter. The first incident occurred during her [REDACTED] year at Ninnekah High School. The student was [REDACTED] at the time. The student was sitting in a chair in Akins’ office when Akins sat next to her, stuck his hand up her shirt, and grabbed her breast. *Id.*

8. The second incident occurred in the summer of 2019 before the student’s [REDACTED] year of High School. Akins told the student to sit down in his office, kissed the student, placed his hand in the student’s pants, and rubbed the student’s vaginal area. *Id.*

9. The third incident occurred during the student’s [REDACTED] year at Ninnekah High School. The student was [REDACTED] years old at the time. After assisting Akins with his 5th and 6th grade [REDACTED] games, the victim went to Akins truck where Akins placed his hands in the victims pants and inserted his fingers in the student’s vagina. *Id.*

10. The fourth incident also occurred during the student's [REDACTED] Year at Ninnekah High School. The incident occurred after the student traveled with Akins to observe [REDACTED] games. On the way home, Akins pulled over, kissed the student, placed his hand in the student's pants, and inserted his finger in the student's vagina. *Id.*

Conclusions of Law

1. The Board is vested with the general authority to provide for the health and safety of schoolchildren while under the jurisdiction of school authorities. *See* 70 O.S. § 3-104(17).

2. That Title 70 O.S. § 3-104(6) provides:

The supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall...[h]ave authority in matters pertaining to the licensure and certification of persons for instructional, supervisory and administrative positions and services in the public schools of the state...and shall formulate rules governing the issuance and revocation of certificates.

3. The Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.*, governs the State Board's administrative actions relating to teacher disciplinary matters. *See* 75 O.S. § 250.3(3). More specifically, 75 O.S. § 314(C)(2) provides:

If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

See 75 O.S. § 314.

4. Further, 75 O.S. § 314.1 provides:

As authorized by or pursuant to law, if an agency finds that the public health, safety, or welfare imperatively requires emergency action, has promulgated administrative rules which provide for such action and incorporates a finding regarding the emergency in its order, emergency actions may be ordered pending the final outcome of proceedings instituted

...

5. The Board's rules in OAC 210:1-5-6(e) provides:

Pursuant to 75 O.S. § 314.1, in the event the State Board of Education finds that public health, safety, or welfare imperatively requires emergency action, the State Board of Education may issue an emergency order summarily suspending a certificate pending an individual proceeding for revocation or other action. Such proceedings shall be promptly instituted and determined. Such an order shall include specific findings of fact specifying the grounds for the emergency action. Within three (3) business days of the issuance of the order by the Board, a copy of the order shall be sent to the holder of the certificate via certified or registered mail, delivery restricted to the certificate holder, with return receipt requested.

6. Oklahoma law and Board rules provide that a certificate shall be revoked for a “willful violation of a rule or regulation of the State Board of Education, a willful violation of any federal or state law...or for other proper cause.” *See* 70 O.S. § 6-189(F); *see also* OAC 210:1-5-6(b).

7. Further, the Board's rules provide that “[t]eachers are charged with the education of the youth of this State. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles.” *See* OAC 210:20-29-1(b). (Emphasis added).

8. Through their conduct, teachers must demonstrate the respect of their students, such being a responsibility that is inherent in the profession. *See* OAC 210:20-29-2.

9. In addition, a teacher shall “strive to help each student realize his or her potential as a worthy and effective member of society.” *See* OAC 210:20-29-3. In fact, in fulfillment of the obligations to the student, a teacher shall:

- a. make reasonable effort to protect the student from conditions harmful to learning or to health and safety
- b. not intentionally expose the student to embarrassment or disparagement.
Id.

10. Additionally, the Board's rules, at OAC 210:20-29-4, provide:
 - a. The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.
 - b. In order to assure that the quality of the services of the teaching profession meets the expectations of the State and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

11. Board rules expressly state that “[i]n fulfillment of the obligation to the student, the teacher shall not use professional relationships with students for private advantage.” See OAC 210:20-29-3.


12. It has been held by Oklahoma courts that “a teacher...in the public school system is regarded by the public and pupils in the light of an exemplar, whose words and actions are likely to be followed by the children coming under her care and protection.” *Vaughn v. Board of Bar Examiners for the Oklahoma Bar Association*, 1988 OK 87, 759 P.2d 1026, 1030. The teaching profession, not unlike the legal profession, imposes a code of ethics upon its members. *Id.*

13. That based upon the information and evidence presented, and the foregoing authority, proper cause exists to suspend the Teaching Certificate and certification number 300092 of Ronald Akins.

14. Board rules further provide that upon the filing of an application to suspend and/or revoke a certificate, the Board, at its discretion, may utilize a hearing officer to conduct the hearing and such individual shall be appointed by the Chairperson of the Board. See OAC 210:1-5-6(f)(1).

WHEREFORE, in light of the foregoing, and after due consideration of the evidence and matters officially presented, the Board hereby finds that the public health, safety, or welfare imperatively requires emergency action such that good cause exists for the Application and that the Application should be granted. As such, effective immediately, the Oklahoma Teaching Certificate of Ronald Akins is hereby suspended pending an individual proceeding for revocation or other action, effective August 26, 2021 or thereafter as determined by the Board.

IT IS SO ORDERED.



Joy Hofmeister
Chairperson
Oklahoma State Board of Education