

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
ELLA SERGEANT
SEPTEMBER 10, 2020**

PLSB CASE NO. 19-173

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on September 10, 2020, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (Ethics Hearing Subcommittee) for disciplinary action against the teaching license of Ella Sergeant (Educator Sergeant). Based upon Educator Sergeant's acceptance of the Ethics Hearing 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 Sergeant a lifetime teaching license.
- b. The Ethics Subcommittee received an allegation that Educator Sergeant 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 June 5, 2019, the Ethics Subcommittee authorized an investigation into allegations that Educator Sergeant violated Standards 2 and 3; *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; Standard 3: an*

educator honestly fulfills reporting obligations associated with professional practices.

- d. Educator Sergeant was notified on June 5, 2019, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on December 5, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 2 and 3 in that Educator Sergeant:
 - Exhibited an inappropriate disposition inclusive of professional and ethical behavior.
 - Falsified and/or manipulated student records/data.
- f. On December 5, 2019, the Ethics Subcommittee initially recommended that the State Board take action upon Educator Sergeant of which she was notified the recommendation in a letter dated December 9, 2019. Educator Sergeant rejected the recommendation of the Subcommittee on December 30, 2019 and requested an Evidentiary Hearing.
- g. On July 21, 2020, an evidentiary hearing was conducted by the Professional Licensure Standards Board Ethics Hearing Subcommittee. After hearing the witnesses and evidence presented the Ethics Hearing Subcommittee found a preponderance of the evidence and the Ethics Subcommittee recommended that the State Board take the following actions:
 1. Two Year Probation;
 2. Fine of \$250;
 3. Recommend training, coursework or rehab treatment, with monitored progress:
 - a) ERC19048: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2018) Credit Hours: 1
 - b) SPC17008 Foundations in Special Education: Major Components of IDEA; Credit Hours: 1

- c) SPC17009 Foundations in Special Education: Legal and Ethical Issues; Credit Hours: 1
- d) SPC17010 Foundations in Special Education: Roles and Responsibilities; Credit Hours: 1
- e) Title: QBQ! The Question Behind the Question: Practicing Personal Accountability at Work and in Life (160p); Author: John G. Miller; ISBN 10: 0399152334; ISBN 13: 978-0399152337
- f) Written reflection on how these trainings will impact the Educator's professional practices
- g) To be completed by: Within 90 days of the State Board of Education final order. (All costs paid by Educator).

- h. On July 22, 2020, Educator Sergeant, was notified of the Ethics Hearing Subcommittee's determination and recommendation by regular mail and secure server. Educator Sergeant accepted the Ethics Hearing Subcommittee's recommendation on August 18, 2020, 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.
- 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 Hearing Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Sergeant for her violation of the Code of Ethics.

- b. Educator Sergeant is cautioned that her non-payment of the assessed fine of \$250 may result in the suspension of her license until the fine is paid in full.
- c. Educator Sergeant 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 Sergeant professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Charisse Dean, Chair
Arkansas State Board of Education