

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF
MICHAEL MONTGOMERY
AUGUST 13, 2020**

**LICENSURE ACTION
CASE NO.:
LA-20-05**

At its regular meeting on August 13, 2020, the Arkansas State Board of Education (“Board”) considered the matter of Michael Montgomery (“Educator Montgomery”) concerning a disqualifying offense. Based upon the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. § 25-15-101 et seq., the Board hereby states as follows:

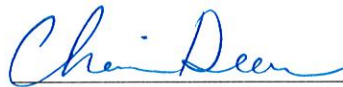
I. Findings of Fact:

- a. The Division received information that Michael Montgomery (“Educator Montgomery”) was found guilty of Sexual Assault in the Second degree which is a disqualifying offense for teacher licensed under Ark. Code Ann. § 6-17-410(c).
- b. Educator Montgomery was notified of the revocation, and had thirty (30) days to request a waiver hearing on the revocation of his license.
- c. Educator Montgomery did not request a hearing.
- d. The Board considered:
 - i. The educator’s age at the time of the offense;
 - ii. The circumstances surrounding the offense;
 - iii. The length of time since the offense;
 - iv. The educator’s subsequent work history;
 - v. The educator’s employment and character references; and
 - vi. Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.
- e. A motion was made to revoke the license of Educator Montgomery. The motion carried.

II. Conclusions of Law

- a. The State Board of Education may consider the enumerated offenses as a disqualification for licensing. See Ark. Code Ann. §§ 6-17-410(c), 6-17-410(d)(A)(5) and 6-17-411. This includes offenses which have been expunged, sealed, and pardoned by the governor.
- b. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-410 and 25-15-201 et seq., Educator Montgomery's license is revoked.

IT IS SO ORDERED.



Charisse Dean, Chair
Arkansas State Board of Education