

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

LUCAS GASS

JULY 9, 2020

PLSB CASE NO. 20-107

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on July 9, 2020, 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 Lucas Gass (Educator Gass). Based upon Educator Gass's acceptance of 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:

I. Findings of Fact

- a. The Arkansas Department of Education issued Educator Gass a provisional teaching license on August 1, 2018, valid until July 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Gass 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 February 7, 2020, the Ethics Subcommittee authorized an investigation into allegations that Educator Gass violated Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom; 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 and

Standard 8: an educator, while on school premises or at school-sponsored activities involving students, refrains from: (a) using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, (b) possessing or using tobacco or tobacco-related products, e-cigarettes, e-liquid, or vapor products, or (c) abusing/misusing prescription medications or other authorized substances as evidenced by impairment.

- d. Educator Gass was notified on February 10, 2020, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on May 1, 2020, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1, 2, and 8 in that Educator Gass:

- Inappropriate interactions with a student
- Exhibited inappropriate disposition inclusive of professional and ethical behavior.
- Failed to follow district/state or federal policies
- Possessed alcohol while at school
- Was under the influence of alcohol while at school

The Ethics Subcommittee recommended that the State Board take the following actions:

- a) One year Suspension of license by the State Board of Education;
- b) Fine of \$400;
- c) To be completed by: 30 days before the end of suspension. (All costs paid by Educator).
- d) On May 1, 2020, Educator Gass was notified of the Ethics Subcommittee's initial determination and recommendation by first class, certified mail, and secure server.

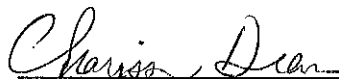
Educator Gass did not respond to the recommendation of the Ethics Subcommittee which due to this, is deemed as accepted.

- e) 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 Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Gass for his violation of the Code of Ethics.
- b. Educator Gass is cautioned that further violations of the Code of Ethics or failure to pay the fine may result in more severe discipline including permanent revocation of his license.
- c. This order shall remain permanently in Educator Gass 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