

# THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
SUNNY ELIZABETH MILLER  
DECEMBER 12, 2019**

**PLSB CASE NO. 18-128**

## **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

At its regular meeting on December 12, 2019, the Arkansas State Board of Education (Board) modified the recommendation of the Professional Licensure Standards Board Ethics Hearing Subcommittee (Hearing Subcommittee) for disciplinary action against the teaching license of Sunny Elizabeth Miller (Educator Miller). Based upon the briefs of the parties and the evidence presented to the Board, in accordance with the Administrative Procedures Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

### **I. Procedural History**

- a. The Arkansas Department of Education issued Educator Miller a standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) received an allegation that Educator Miller 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 May 4, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Miller 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 skills, knowledge, dispositions, and responsibilities relating to

his or her organizational position; and Standard 4: an educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.

- d. Educator Miller was notified on May 7, 2018, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on November 2, 2018, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 1, 2, & 4 of the Code of Ethics. Educator Miller rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- f. On June 28, 2019, Educator Miller appeared for her evidentiary hearing before the Hearing Subcommittee. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing, the Hearing Subcommittee found that a preponderance of evidence existed to substantiate violation of Standard 1, 2, and 4.
- g. On July 16, 2019, Educator Miller's attorney was notified of the Hearing Subcommittee's final determination and recommendation by certified mail. Educator Miller rejected the Hearing Subcommittee's recommendation and requested a State Board Review.
- h. Educator Miller's attorney agreed to the State Board Review taking place on December 12, 2019.

## **II. Findings of Fact and Conclusions of Law**

- i. 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 made the following findings, conclusions and determinations by a preponderance of the evidence that Educator Miller:

- Made inappropriate comments.
  - Played inappropriate music.
  - Showed inappropriate pictures to students.
  - Misused a school computer.
- j. Educator Miller DID violate Standards 1, 2, and 4 of the Code of Ethics for Arkansas Educators.
- k. The Board takes the following action against Educator Miller's license:
- Probation for one (1) year;
  - Assess a \$250 fine (due within 90 days of the State Board Order)
  - Require Educator to complete the following coursework/readings:
    - (i) PIA14006 Guiding Children Successfully, Episode 1: Effective Motivation for Children
    - (ii) ERC18064: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2017)
    - (iii) IAE14024 The Learning Classroom: Expectations for Success
    - (iv) LAB15050 Grab Your Students By Their Brains with Humor and Passion
    - (v) SPC17011 Introduction to Behavior: Supporting Effective Behavior
    - (vi) Book Titled: *Culturally Responsive Teaching: Theory, Research, and Practice* (384p); Author: Geneva Gay; ISBN-10: 0807758760; ISBN-13: 978-0807758762
  - Require Educator to prepare written reflections for each training: that explains how training will impact teaching and interactions with students (due within 90 days of the State Board Order); and
  - Require Educator to pay all associated costs.
- l. Educator Miller 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.



- m. Educator Miller is cautioned that further violations of the Code of Ethics may result in more severe discipline including permanent revocation of her license.
- n. This order shall remain permanently in Educator Miller's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
Diane Zook, Chair  
Arkansas State Board of Education