

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
CONNIE SUE HICKS
OCTOBER 10, 2019**

PLSB CASE NO. 18-149

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on October 10, 2019, 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 Connie Sue Hicks (Educator Hicks). Based upon Educator Hick's failure to respond to the Ethics Subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedures 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 Hicks standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Ethics Subcommittee received an allegation that Educator Hicks 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, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Hicks violated 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 6: an educator keeps in confidence secure

standardized test materials and results and maintains integrity regarding test administration procedures.

- d. Educator Hicks was notified on June 4, 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 Standards 2 and 6 of the Code of Ethics. Educator Hicks rejected the Ethics subcommittee's recommendation and requested an evidentiary hearing.
- f. On June 28, 2019, Educator Hicks appeared for her evidentiary hearing before the Ethics Hearing Subcommittee. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing the Ethics Hearing Subcommittee found a preponderance of the evidence existed to substantiate violation of Standards 2 and 6 in that Educator Hicks:
 - Failed to adhere to test administration procedures.
- g. The Ethics Hearing Subcommittee recommended that the State Board take the following actions:
 1. Probation of license for 1 year;
 2. Require Educator to complete the following coursework/readings (due within 90 days of State Board Order):
 - ADE Test Security Training
 - ERC18064: Professional Licensure Standards Board (PLSB): The Code of Ethics Training.
 3. Require Educator to pay all associated costs.

- h. On July 2, 2019, Educator Hicks, was notified of the Ethics Hearing Subcommittee's final determination and recommendation by certified and regular mail. Educator Hicks failed to respond to the notice 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 Hearing 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 Connie Sue Hicks for her violation of the Code of Ethics.
- b. Educator Hicks is cautioned that further violations of the Code of Ethics may result in more severe discipline including permanent revocation of her license.
- c. This order shall remain permanently in Educator Hicks' 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