

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
GEORGE DAVID LIVERMORE
AUGUST 8, 2019**

PLSB CASE NO. 19-091

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on August 8, 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 George David Livermore (Educator Livermore). Based upon Educator Livermore'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 Livermore a lifetime teaching license on January 1, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Livermore 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 January 4, 2019, the Ethics Subcommittee authorized an investigation into allegations that Educator Livermore violated Standard 1: an educator maintains a professional relationship with each student, both in and outside of 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 7: an educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations.

d. Educator Livermore was notified on January 4, 2019, of the Ethics Subcommittee's authorization to investigate this allegation.

e. After considering the investigator's report and evidence on June 5, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1, 2, and 7 in that Educator Livermore:

- Inappropriate interactions with student(s);
- Inappropriate communications with student(s);
- Inappropriate disposition inclusive of professional and ethical behavior; and
- Shared confidential student information.

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

1. Written Reprimand;
2. Assess a \$100 fine (due within 90 days of the State Board Order);
3. Require Educator to complete the following coursework/readings:
 - ERC19048: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2018) Credit Hours: 1
 - IAE14024 The Learning Classroom: Expectations for Success; Credit Hours: 1.5
 - PIA14006 Guiding Children Successfully, Episode 1: Effective Motivation for Children; Credit Hours: 1

4. Require Educator to prepare written reflection: that explains how each of these trainings will impact his classroom behavior (to be completed by 90 days of Board Order); and
 5. Require Educator to pay all associated costs.
- g. On June 7, 2019, Educator Livermore was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. Educator Livermore failed to respond to the Ethics Subcommittee's recommendation thereby waiving his right to any further notice, hearing, or any other rights he may have under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- h. 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 George David Livermore for his violation of the Code of Ethics.
- b. Educator Livermore is cautioned that his non-payment of the assessed fine of \$100 may result in the suspension of his license until the fine is paid in full.
- c. Educator Livermore 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 his license.

- d. This order shall remain permanently in Educator Livermore'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