

# THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
ERIKA DENEEN BURDICK  
APRIL 11, 2019**

**PLSB CASE NO. 18-154**

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

At its regular meeting on April 11, 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 Erika Deneen Burdick (Educator Burdick). Based upon Educator Burdick's acceptance of 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 Burdick a standard five-year teaching license on January 1, 2018, valid until December 31, 2022.
- b. The Ethics Subcommittee received an allegation that Educator Burdick 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 1, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Burdick 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 3: an educator honestly fulfills reporting obligations associated with professional practices.

- d. Educator Burdick 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 January 4, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 2 and 3 in that Educator Burdick:
  - Failed to follow student's IEP
  - Failed to report sexual assault of a student
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
  1. Probation of license for 3 years;
  2. Assess a \$250 fine (due within 90 days of the State Board Order);
  3. Require Educator to complete the following coursework/readings:
    - Mandated Reporter: Requirements in Arkansas:  
<https://ar.mandatedreporter.org/UserAuth/Login!loginPage.action>
    - HWB17118 Act 1236 of 2011: Child Maltreatment (2017)
    - Title: QBQ! The Question Behind the Question: Practicing Personal Accountability at Work and in Life (160p); Author: John G. Miller; ISBN 10: 0399152334; ISBN 13: 978-0399152337
    - SPC17008 Foundations in Special Education: Major Components of IDEA
    - SPC17009 Foundations in Special Education: Legal and Ethical Issues
    - SPC17010 Foundations in Special Education: Roles and Responsibilities
    - Preventing Child Abuse and Helping Its Victims (5 Hours Online);  
Link -

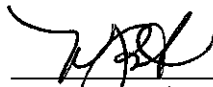
4. Require Educator to prepare written reflection: that explains how trainings will impact her professional practices (due within 90 days of the State Board Order); and
  5. Require that all associated costs be paid by Educator Burdick.
- g. On January 8, 2019, Educator Burdick, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. Educator Burdick accepted the Ethics Subcommittee's recommendation 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.
- 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 Burdick for her violation of the Code of Ethics.
- b. Educator Burdick 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.

- c. Educator Burdick 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 her license.
- d. This order shall remain permanently in Educator Burdick's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



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Dr. Jay Barth, Chair  
Arkansas State Board of Education