

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
SARAH KAY TERWILLIGER  
MARCH 8, 2018**

**PLSB CASE NO. 18-016**

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

At its regular meeting on March 8, 2018, 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 Sara Kay Terwilliger (Educator Terwilliger). Based upon Educator Terwilliger'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 Terwilliger a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Terwilliger violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (Code of Ethics) promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On July 10, 2017, the Ethics Subcommittee authorized an investigation into allegations that Educator Terwilliger violated 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 6: An educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures.

- d. On July 13, 2017, Educator Terwilliger was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On January 5, 2018, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Terwilliger violated Standards 2 and 6 of the Code of Ethics when she ended the ACT Aspire testing session prior to the required time allocated for the session, causing three (3) students not to complete the work, then altered the testing time record.

The Ethics Subcommittee recommended that the Board:

- Issue a written reprimand;
  - Assess a \$50 fine to be paid within ninety (90) days of the State Board's final order;
  - Require educator to complete training through the ADE Office of Student Assessment on ACT Aspire guidelines;
  - Require educator to submit a written reflection on the training to the PLSB office within ninety (90) days of the State Board's final order; and
  - All costs paid by Educator Terwilliger.
- f. On January 8, 2018, Educator Terwilliger was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
  - g. Educator Terwilliger did not request an evidentiary hearing within the allotted timeframe, thereby waiving her right to any further notice, hearing, or any other rights she might 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 Terwilliger for her violation of the Code of Ethics and adopts the recommendation for actions as outlined by the Ethic's Subcommittee.
- b. Educator Terwilliger 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.
- c. This order shall remain for two (2) years in Educator Terwilliger's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



---

Dr. Jay Barth, Chair  
Arkansas State Board of Education