

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
MELISA M. DILLARD
FEBRUARY 8, 2018**

PLSB CASE NO. 17-215

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on February 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 Melisa M. Dillard (Educator Dillard). Based upon Educator Dillard'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 Dillard a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Dillard 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 June 5, 2017, the Ethics Subcommittee authorized an investigation into allegations that Educator Dillard violated Standard 8: An educator refrains from

- using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at school-sponsored activities involving students.
- d. On June 7, 2017, Educator Dillard was notified of the Ethics Subcommittee's authorization to investigate the allegations.
 - e. After considering the investigator's report and evidence on October 6, 2017, the Ethics Subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 8 in that Educator Dillard was administered a breathalyzer test which showed her blood alcohol level to be at .28, and subsequently arrested for public intoxication for being under the influence of alcohol while on school premises. The Ethics Subcommittee recommended that the Board permanently revoke Educator Dillard's license.
 - f. Educator Dillard was notified of the Ethics Subcommittee's reasonable belief determination and recommendation on October 9, 2017, by certified and regular mail.
 - g. Educator Dillard failed to respond to the Ethics Subcommittee's recommendation, thereby waiving her right to a hearing or any further notices 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 and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Code of Ethics, the Board adopts the recommendations of the Ethics Subcommittee.
- b. Accordingly, the Board orders permanent revocation of Educator Dillard's license.
- c. This order shall remain permanently in Educator Dillard's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education