

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
GINA LEA WHITE
DECEMBER 14, 2017**

PLSB CASE NO. 16-058

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on December 14, 2017, the Arkansas State Board of Education (Board) considered the matter of Gina Lea White (Educator White) concerning the non-payment of a fine assessed by the Board. Based upon the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. § 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact

- a. On March 4, 2016, the Professional Licensure Standards Board (PLSB) Ethics Subcommittee (Ethics Subcommittee) unanimously found reasonable belief that Educator White violated Standard 1 of the Code of Ethics for Arkansas Educator. Additionally, the Ethics Subcommittee recommended that the Board:
 - Place educator's license on probation for three (3) years; and
 - Assess a \$75 fine. (The probationary period would begin upon the renewal or reissuance of educator's license, and the fine is due ninety 90) days from the Board's final order).
- b. Educator White received the Ethics Subcommittee's recommendation on March 8, 2016, and did not request a hearing, thereby waiving her right to any further notice or 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.

- c. On May 20, 2016, the Board entered its Findings of Fact, Conclusions of Law and Order (Order) in which it adopted the Ethics Subcommittee's findings and recommended sanctions.
- d. In this order, the Board cautioned Educator White that failure to pay the fine within ninety (90) days from the date of the order may result in more severe discipline, including permanent revocation of her license.
- e. On May 20, 2016, the PLSB office mailed Educator White the Board's Order via certified and first-class mail; the certified correspondence was returned as "unclaimed", but the first-class mail was not returned.
- f. On September 2, 2016, the PLSB office mailed Educator White a second request for payment via certified and first-class mail; the certified letter was returned as "unclaimed", but the first-class mail was not returned.
- g. On July 25, 2017 and November 14, 2017, the PLSB office mailed Educator White letters notifying her that the PLSB would request suspension of her license until the required payment is received; the July 25th certified mail was returned "unclaimed", but the first-class mail was not. The November 14th letters have not been returned.
- h. Educator White has not responded to the PLSB's collection attempts and has not submitted payment of the assessed fine.

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 Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board unanimously voted to suspend Educator White's

license until payment of the assessed seventy-five dollar (\$75.00) fine is received by the Arkansas Department of Education's PLSB office.

- b. Furthermore, Educator White's license shall be reflected as suspended on the Arkansas Department of Education's public website for licensure until payment of the assessed seventy-five dollar (\$75.00) fine is received by the Arkansas Department of Education's PLSB office.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education