

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
WILLIAM JEFFREY FLANIGAN  
DECEMBER 14, 2017**

**PLSB CASE NO. 18-018**

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

At its regular meeting on December 14, 2017, 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 William Jeffrey Flanigan (Educator Flanigan). Based upon Educator Flanigan's consent 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 Flanigan a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Flanigan 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 the allegation that Educator Flanigan 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 administration procedures.

- d. On July 13, 2017, Educator Flanigan was notified of the Ethics Subcommittee's authorization to investigate the allegation.
- e. On November 6, 2017, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Flanigan violated Standards 2 and 6 when:
  - Educator did not provide appropriate accommodations while administering the ACT Aspire Summative Tests; and
  - Records and/or documentation were not appropriately kept/communicated so that students' accommodations were properly met.
- f. The Ethics Subcommittee recommended that the Board take the following actions:
  - Issue a written warning;
  - Require educator to complete Testing Coordinator Training through the ADE Office of Student Assessment;
  - Require educator to provide a written reflection to the PLSB office within 90 days of the Board's final order indicating how this training will impact his testing preparation procedures; and
  - All costs paid by Educator Flanigan.
- g. On November 7, 2017, Educator Flanigan was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- h. On November 13, 2017, Educator Flanigan accepted the Ethics Subcommittee's recommendation, thereby waiving his right to any further notice, hearing, and any other rights he might have under the Administrative Procedure Act including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

## 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 Flanigan for his violation of the Code of Ethics.
- b. Educator Flanigan is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of his license.
- c. This order shall remain permanently in Educator Flanigan'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