

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
DEBORAH RAGAN CLARK
AUGUST 10, 2017**

PLSB CASE NO. 17-128

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on August 10, 2017, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Deborah Ragan Clark (Educator Clark). Based upon Educator Clark's failure to respond to the 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 Deborah Ragan Clark a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Educator Clark 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 January 17, 2017, the Subcommittee authorized an investigation into allegations that Educator Clark 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.

d. Educator Clark was notified on January 18, 2017, of the subcommittee's authorization to investigate this allegation.

e. After considering the investigator's report and evidence on June 5, 2017, the subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 2 in that Educator Clark:

- Instructed students on the senior high volleyball team to consume an energy drink called "C4", that contained a high amount of caffeine and was labeled as being for persons 18 years of age and older, causing the students to complain of blurred vision, feeling unwell, and jittery.

f. The Ethics Subcommittee recommended that the State Board take the following actions:

- (i) Suspend Educator Clark's license for two (2) years;
- (ii) Assess a \$100 fine;
- (iii) Require her to complete training through the ArkansasIDEAS online portal taking Course IAD14519: *Understanding Student Motivation, 2nd Edition; Classroom Management, Instruction & Assessment, School Counseling, Library Media Specialist* (12 hours);
- (iv) Require her to provide a written reflection to the PLSB office stating how this training will impact her coaching strategies with students in the future;
- (v) The written reflection must be submitted to the PLSB office within ninety (90) days following the Board's final order; and
- (vi) Require that all associated costs be paid by Educator Clark.

g. On June 9, 2017, Educator Clark, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

Educator Clark failed to respond to the Ethics Subcommittee's recommendation and she did not request an evidentiary hearing within the required time thereby waiving her right to any further notice, hearing, or any other rights she may have under the

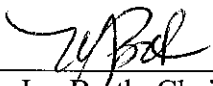
Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

- h. At today's meeting, the 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 Clark for her violation of the Code of Ethics and adopts the recommendation for actions as outlined by the Ethic's Subcommittee.
- b. Educator Clark is cautioned that her non-payment of the assessed fine of \$100 will result in the continued suspension of her license until the fine is paid in full.
- c. Educator Clark is cautioned that further violations of the Code of Ethics or failure to pay the fine within thirty (30) 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 Clark'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