

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
MARY ELIZABETH ANDERSON
JULY 13, 2017**

PLSB CASE NO. 17-082

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on July 13, 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 Mary Elizabeth Anderson (Educator Anderson). Based upon Educator Anderson's consent 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 Mary Elizabeth Anderson a standard five-year teaching license on January 1, 2014 valid until December 31, 2018.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Educator Anderson 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 October 7, 2016, the Subcommittee authorized an investigation into allegations that Educator Anderson 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. Educator Anderson was notified on October 13, 2016, of the subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on March 3, 2017, the subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 8 in that Educator Anderson:
 - Without prior authorization, took prescription medication from the school nurse's station.

The Subcommittee recommended that the State Board permanently revoke Educator Anderson's license.

- f. On March 13, 2017, Educator Anderson, through her attorney, rejected the Ethics Subcommittee's reasonable belief determination and recommendations, and requested an evidentiary hearing as provided under the Administrative Procedure Act including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- g. On May 12, 2017, the Ethics Subcommittee Evidentiary Hearing Panel amended the initial decision and recommended that the Board (i) order a one (1) year suspension; (ii) assess a \$100.00 fine, to be paid within ninety (90) days of the State Board's Final Order; (iii) require her to attend counseling under the supervision of a licensed psychiatrist; (iv) provide quarterly reports from the licensed psychiatrist to the PLSB during the suspension period. All costs paid by the educator.
- h. Educator Anderson accepted the Ethics Subcommittee Hearing Panel Recommendation on May 24, 2017.

- i. 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 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 adopts the recommendations of the subcommittee.
- b. Accordingly, the Board orders (i) suspension of Educator Anderson's license for one (1) year; (ii) assesses a fine of \$100, to be paid within ninety (90) days of the State Board's Final Order; (iii) requires her to attend counseling under the supervision of a licensed psychiatrist; and (iii) requires her to provide quarterly reports from the licensed psychiatrist to the PLSB during the suspension period. All costs paid by the educator.
- c. Educator Anderson 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.
- d. This order shall remain permanently in Educator Anderson'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