

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
JANUARY 12, 2017**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE JACQUELIN MARIE FISCHER, PLSB CASE NO. 16-174**

At its regular meeting on January 12, 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 Jacquelin Marie Fischer (Educator Fischer). Based upon Educator Fischer's failure to timely 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 Fischer a standard five-year teaching license on January 1, 2013 valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Fischer 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. Specifically, the form alleged that Educator Fischer violated Standards 1 and 2: 1. An educator maintains a professional relationship with each student, both in and outside the classroom. 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.
- c. Educator Fischer was notified on June 9, 2016, of the Ethics Subcommittee's authorization on June 3, 2016, to investigate this allegation.

After considering the investigator's report and evidence on November 7, 2017, the Ethics Subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standards 1 and 2 in that she:

- Possessed marijuana in the presence of one or more students;
- Used marijuana with or in the presence of one or more students;
- Provided marijuana to one or more students; and
- Provided alcohol to one or more students and consumed alcohol in the presence of one or more students.

The Ethics Subcommittee recommended that the Board permanently revoke Educator Fischer's license.

- d. Educator Fischer was notified of the Ethics Subcommittee's reasonable belief determination and recommendation on November 11, 2016, by certified and regular mail. Educator Fischer failed to timely respond and thereby accepted the Ethic Subcommittee's recommendation and waived 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.
- e. 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 Fischer's license.

- c. This order shall remain permanently in Educator Fischer's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Mireya Reith, Chair
Arkansas State Board of Education