

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
NOVEMBER 10, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE ASHLEY RENE BURNS, PLSB CASE NO. 17-008**

At its regular meeting on November 10, 2016, 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 Ashley Rene Burns (“Educator Burns”). Educator Burns’ did not respond to the Ethics Subcommittee’s recommendation and 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. The Arkansas Department of Education issued Educator Burns a standard five-year teaching license on January 1, 2016, valid until December 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Burns 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 11, 2016, the Ethics Subcommittee authorized an investigation into the allegation that Educator Burns 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. On July 21, 2016, Educator Burns was notified of the Ethics Subcommittee’s authorization to investigate these allegations.

- e. On September 2, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Burns violated Standard 8 when she:
- Used, possessed, and/or was under the influence of alcohol while on school premises.

The Ethics Subcommittee recommended that the Board place Educator Burns' license on probation for one (1) year; assess a \$75.00 fine; and require that she provide a letter from a licensed therapist stating that she is fit to return to the classroom. The letter should be sent to the Professional Licensure Standards Board within thirty (30) days of the date of the Board's final order.


- f. On September 6, 2016, Educator Burns was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Burns did not respond to the Ethics Subcommittee's recommendation, thereby waiving her rights 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.h. 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 Ethics Subcommittee's recommendation.

- b. Accordingly, the Board admonishes Educator Burns for her violation of the Code of Ethics; orders probation of her license for one (1) year; assesses a \$75.00 fine; and requires that she provide a letter from a licensed therapist stating that she is fit to return to the classroom. The letter will be sent to the Professional Licensure Standards Board within thirty (30) days of the date of the Board's final order.
- c. Educator Burns 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 Burns' professional licensure file and in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Mireya Reith, Chair
Arkansas State Board of Education