

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
OCTOBER 13, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE DEBRA ANN DUFORD, PLSB CASE NO. 16-119**

At its regular meeting on October 13, 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 Debra Ann Duford (“Educator Duford”). Based upon Educator Duford’s acceptance of 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 Duford a standard five-year teaching license on January 1, 2014, valid until December 31, 2018.
- b. The Ethics Subcommittee received an allegation that Educator Duford 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 March 4, 2016, the Ethics Subcommittee authorized an investigation into the allegation that Educator Duford violated Standards 1, 2, 3, and 7: 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. 3. An educator honestly fulfills reporting obligations associated with

professional practices. 7. An educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations.

- d. On March 7, 2016, Educator Duford was notified of the Ethics Subcommittee's authorization to investigate this allegation.
- e. On July 11, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Duford violated Standards 1, 2, 3, and 7 when she:
- Changed a student's name on a paper (worksheet) and replaced it with another student's name;
 - Assigned a student a grade that was unearned;
 - Allowed/caused a student to take a graded paper (worksheet), which had another student's grade and/or name on it, home; and
 - Disclosed confidential information by allowing/causing a student to take a graded paper (worksheet) which had another student's grade and/or name on it, home.

The Ethics Subcommittee recommended that the Board issue Educator Duford a written warning.

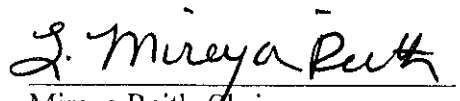
- f. On July 19, 2016, Educator Duford, through her attorney, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. On August 5, 2016, Educator Duford, through her attorney, accepted the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice, 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 Duford for her violation of the Code of Ethics and issues a written warning.
- c. Educator Duford is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of her license.
- d. This order shall remain for two (2) years in Educator Duford's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Mireya Reith, Chair
Arkansas State Board of Education