

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION  
MAY 12, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER  
IN RE GINA LEA WHITE, PLSB CASE NO. 16-058**

At its regular meeting on May 12, 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 Gina Lea White (“Educator White”). Based upon Educator White’s failure to 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 White a standard five-year teaching license on January 1, 2011, valid until December 31, 2015.
- b. The Ethics Subcommittee received an allegation that Educator White 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 December 4, 2015, the Ethics Subcommittee authorized an investigation into the allegation that Educator White violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On December 9, 2015, Educator White was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On March 4, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator White violated Standard 1 when she:

- Used or attempted to use a student to facilitate her having a sexual, unprofessional, or otherwise inappropriate relationship with a former student; and
- Inappropriately communicated with a student concerning a photograph or other item that the educator may have sent to a former student.

The Ethics Subcommittee recommended that the Board place Educator White's license on probation for three (3) years and assess a \$75.00 fine. The probationary period would begin upon the renewal or reissuance of her license, and the fine would be due ninety (90) days after the date of the Board's final order.

f. On March 7, 2016, Educator White, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. Educator White did not respond within the required thirty (30) day time period, 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 White for her violation of the Code of Ethics, orders probation of her license for three (3) years and assesses a \$75.00 fine. The probationary period will begin upon the renewal or reissuance of her license, and the fine will be due ninety (90) days after the date of the Board's final order.
- c. Educator White 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 White's professional licensure file and in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
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Toyce Newton, Chair  
Arkansas State Board of Education