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**A-3 - SANDERS HEARING**

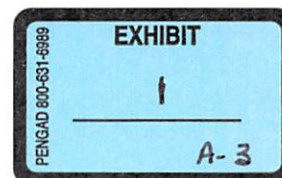
**EXHIBIT ONE (1)**

**WAIVER HEARING FOR COURTNEY L. SANDERS**

**Licensure Action Case No.: LA 18 - 025**

**EXHIBIT LIST**

<b>EXHIBITS</b>	<b>DESCRIPTION OF DOCUMENTS</b>
ADE – 1	Application for Arkansas teaching license, dated 5/7/2018
ADE – 2	Verdict, filed 8/29/1995
ADE – 3	Notice of Disqualifying Offense, dated 8/15/2018
ADE – 4	Request for Waiver Hearing, dated 9/11/2018
ADE – 5	Felony Information and Affidavit for Warrant of Arrest, filed 3/8/1995
ADE – 6	Sentencing Order, filed 8/29/1995
ADE – 7	Arkansas Code Annotated § 6-17-410 (2017)





PLAF

MAIL TO:  
EDUCATOR LICENSURE  
DEPARTMENT OF EDUCATION  
ROOMS 166B & 107B  
FOUR CAPITOL MALL  
LITTLE ROCK, AR 72201-1071



APPLICATION FOR EDUCATOR'S LICENSE

# Arkansas

DEPARTMENT OF EDUCATION  
Educator Licensure

Telephone No: (501) 682-4342  
Fax No: (501) 682-4898  
Web Page: [www.arkansased.org](http://www.arkansased.org)

NOTICE  
Incomplete applications will be returned  
without action, with omissions checked.

F A CR

PLEASE PRINT IN INK OR TYPE

Central Registry Check: <input type="checkbox"/> Being Forwarded To DHS <input type="checkbox"/> On File	Non Criminal Background Check: <input type="checkbox"/> Being Forwarded To AR State Police <input type="checkbox"/> On File	All coursework must be documented by providing original college transcripts: <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Being Forwarded <input type="checkbox"/> On File	Applicable Fees: <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Pay Online
----------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------

Date: 5-7-18 Date of Birth: [REDACTED] SSN: [REDACTED]  
Name: Courtney LaKoy Sanders  
First Middle Last Maiden

Mail License To: Courtney Sanders Home Phone: [REDACTED]  
[REDACTED] Cellular Phone: [REDACTED]  
[REDACTED] Work Phone: [REDACTED]  
[REDACTED] Fax: [REDACTED]  
[REDACTED] Email: [REDACTED]  
[REDACTED] Street and/or Route Number Apartment #  
[REDACTED] City State Zip Years of Licensed Teaching Experience 1

<p>FOR STATISTICAL PURPOSES ONLY: Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female</p> <p>Ethnicity: Check One ( ) Hispanic / Latino (<input checked="" type="checkbox"/>) Non-Hispanic/ Latino</p> <p>Race: Check one or more ( ) American Indian Or Alaskan Native ( ) Asian or Pacific Islander (<input checked="" type="checkbox"/>) Black or African American ( ) White ( ) Native Hawaiian or Other Pacific Islander ( ) Other</p> <p>U.S. Citizen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>PROCESSING FEE CHECK ONE (IF APPLICABLE)</p> <p>(<input checked="" type="checkbox"/>) \$75 - 5 YEAR STANDARD ( ) \$75 - 5 YEAR RENEWAL ( ) \$50 - DUPLICATE ( ) \$75 - 5 YEAR TECHNICAL PERMIT</p> <p><b>PLEASE NOTE:</b> <b>NO PERSONAL CHECKS ACCEPTED:</b> Educators can pay on-line by credit card or electronic check at <a href="https://www.ark.org/teachers/licensure">https://www.ark.org/teachers/licensure</a>. Money orders or cashier checks may also be accepted.</p>	<p>Have you ever held an Arkansas teaching license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you ever had a license revoked in any state? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you ever had a "true finding" with the Arkansas Department of Human Services Child Maltreatment Central Registry? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, what was the finding? _____</p> <p>Have you ever pled guilty or pled nolo contendere (no contest) or been found guilty of a crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, was the crime a <input type="checkbox"/> Felony or <input type="checkbox"/> Misdemeanor</p> <p>What was the date and crime for which you were convicted? _____</p> <p>Is your license currently under disciplinary review in another state or country? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If licensed outside the state of Arkansas, has your license been in good standing for the previous two years? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please be aware that the Arkansas Department of Education has access to and must consider any background check reflecting a conviction (pleading guilty or nolo contendere (no contest) or being found guilty by a jury or judge) for any offense listed in Ark. Code Ann. § 6-17-410 as well as any felony involving physical or sexual injury, mistreatment, or abuse against another, including records that have been expunged, sealed or subject to a pardon. For any questions about this, please call the ADE legal office @ (501) 682-4227.

Please indicate the application type.

<input type="checkbox"/> Provisional	<input type="checkbox"/> Non-Traditional (APPEL)	<input type="checkbox"/> Converting Initial to Standard	<input type="checkbox"/> Duplicate
<input type="checkbox"/> Standard	<input type="checkbox"/> Non-Traditional MAT/ MED/MTLI	<input type="checkbox"/> Converting Provisional to Standard	<input type="checkbox"/> Name Change
<input type="checkbox"/> Renewal	<input type="checkbox"/> Teach for America	<input type="checkbox"/> Career & Technical Permit	<input type="checkbox"/> Correction
<input type="checkbox"/> Lifetime License	<input type="checkbox"/> Teacher Corps	<input type="checkbox"/> Adding Degree	<input type="checkbox"/> Change of Address Only
<input checked="" type="checkbox"/> Reciprocity	<input type="checkbox"/> Professional Teaching Permit	<input type="checkbox"/> Adding Area	
<input type="checkbox"/> Reciprocity- (out of Country)	<input type="checkbox"/> Provisional Professional Teaching License		

Please indicate the degree level of your license.

☐ Less than Bachelor's ☐ Bachelor's ☒ Master's ☐ Specialist ☐ Doctorate

To be completed by applicant only when adding an additional licensure area by testing.

Licensure Area(s)	Grade Level
<u>Health and Physical Education</u>	<u>(P-12)</u>

Signature of Applicant: Courtney Sanders

ADE Exhibit 1

1 of 1

RECEIVED  
MAY 29 2018  
EDUCATOR LICENSURE

AMCI 8301-VF

VERDICT

We, the Jury, find Courtney Laroy Sanders guilty of  
Sexual Abuse in the First Degree.

Gary Cox  
FOREPERSON

FILED  
9:00 P.M.  
AUG 29 1995  
June Stevens  
JUNE STEVENS  
CIRCUIT & CHANCERY CLERK  
LAFAYETTE COUNTY ARK



# Arkansas Department of Education

*Transforming Arkansas to lead the nation in student-focused education*

AELS CID: [REDACTED]

08/15/2018

**PERSONAL AND CONFIDENTIAL**

Courtney Laroy Sanders  
[REDACTED]

**VIA FIRST CLASS AND CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED NO. [REDACTED] 3419**

Re: Criminal Background Check

Dear Ms. Sanders:

The Arkansas Department of Education has reviewed your background checks required under Ark. Code Ann. § 6-17-410 and § 6-17-411 as a condition of your licensure or employment with an educational entity.

Your background check revealed the disqualifying offense identified below.

**Date:** 03/03/1995  
**Offense:** FEL-C SEXUAL ABUSE – 1<sup>ST</sup> DEGREE  
**Agency:** STAMPS POLICE

Therefore, the Department will recommend that the State Board of Education deny your eligibility for licensure and employment in a local education agency or school district.

**You have the right to challenge or complete the accuracy of the information in the record.** You must contact this office within fourteen (14) days of the date of this letter if you intend to challenge a record, or wish to provide this office with additional information about the disposition of the disqualifying offense(s).

Failure to contact us or provide this information within fourteen (14) days of the date of this letter may result in denial of your licensure and disqualify you for employment in an educational entity.

**You are entitled to a hearing in front of the State Board of Education regarding denial of your license.** Ark. Code Ann. § 6-17-410(f) authorizes the State Board to grant waivers of the licensure eligibility provisions of § 6-17-410(c) upon request of an affected applicant for licensure. To request a hearing for a waiver of the disqualifying offense, you must submit your

**written request** to this office, by mail or by email, **within thirty (30) days** of the date of this letter.

State Board of Education meetings occur once a month and are available to the public through live video-streaming. A request to be placed on the agenda must be received not less than three weeks before the meeting date. The Board meets in the Auditorium of the Arkansas Department of Education –Arch Ford Education Building, Four Capitol Mall, Little Rock. Meeting dates may be found at: [http://www.arkansased.org/events/event\\_categories/state-board-of-education](http://www.arkansased.org/events/event_categories/state-board-of-education)

The circumstances that the State Board may consider includes, but is not limited to:

- The age at which the crime or incident was committed
- The circumstances surrounding the crime or incident
- The length of time since the crime or incident
- Subsequent work history
- Employment references
- Character references
- Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

If you request a hearing, you will be asked to provide to this office a written statement and any supporting documents that at a minimum address those considerations, including the names and phone numbers of persons who may verify information contained in your statement or documentation.

You may obtain information concerning the disqualifying offense or schedule a hearing to request a waiver from the State Board of Education by contacting Simoné Blagg, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201, (501) 682-5729; or by email at: [Simone.Blagg@arkansas.gov](mailto:Simone.Blagg@arkansas.gov).

Sincerely,

/s/ Simoné Blagg

Simoné Blagg, Attorney  
Educator Effectiveness & Licensure

Enclosures: How to Obtain Further Information or Correct a Record  
Noncriminal Justice Applicant's Privacy Rights  
8 CFR § 16.34  
Requesting a Waiver

cc: Cheryl Reinhart, Director of Educator Licensure

## HOW TO OBTAIN FURTHER INFORMATION OR CORRECT A RECORD

### **Ark. Code Ann. § 6-17-410**

Provides that the Department of Education shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry or has pled guilty or nolo contendere to or has been found guilty of any of [certain listed] offenses, *including offenses which have been expunged or pardoned.*

### **Ark. Code Ann. § 6-17-411**

Requires a background check for initial employment with an entity that is identified by the Department of Education as a local education agency, except that for a public school operated by a school district the school district is the educational entity

#### **To challenge a record with the Federal Bureau of Investigation contact:**

FBI CJIS Division  
Attention: Criminal History Analysis Team 1  
1000 Custer Hollow Road  
Clarksburg, WV 26306

(or go to [www.fbi.gov](http://www.fbi.gov), and enter in the search box Challenge of a Criminal History Summary)

#### **To challenge a record with the Arkansas State Police contact:**

Arkansas State Police  
Identification Bureau  
1 State Police Plaza Drive  
Little Rock, AR 72209

#### **For Child Maltreatment Central Registry name removal or other DHS information, contact the Department of Human Services, Child Maltreatment Central Registry:**

Dennis Robins  
Manager, Central Registry  
501-682-0405  
[dennis.robins@arkansas.gov](mailto:dennis.robins@arkansas.gov)

Forms and instructions are available on the DHS website:  
<http://humanservices.arkansas.gov/dcfcs/Pages/default.aspx>

CLICK ON DCFS FORMS in the left side menu to find these forms:  
CFS-0328-A Request for Name Removal From the Central Registry  
CFS-0328-A Instructions

## **NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS**

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As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification<sup>1</sup> that your fingerprints will be used to check the criminal history records of the FBI.
- If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the job, license, or other benefit based on information in the criminal history record.<sup>2</sup>

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.<sup>3</sup>

If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <http://www.fbi.gov/about-us/cjis/background-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/ corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

<sup>1</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>2</sup> See 28 CFR 50.12(b).

<sup>3</sup> See 5 U.S.C. 552a (b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).



**28.CFR Sec. 16.34**

**Procedure to obtain change, correction or updating of identification records**

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If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/ her challenge as to the accuracy or completeness of any entry on his/her record to:

FBI, Criminal Justice Information Services (CJIS)  
Division ATTN: SCU, Mod. D-2  
1000 Custer Hollow Road  
Clarksburg, WV 26306

The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI.CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

[Order No. 1134-86, 51 FR 16677, May 6, 1986, as amended by Order No. 2258-99, 64 FR 52226, Sept. 28, 1999]



## ARKANSAS DEPARTMENT OF EDUCATION

### **REQUESTING A WAIVER OF A DISQUALIFYING OFFENSE**

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You have been notified that, as a result of the background check reviewed by the Arkansas Department of Education, you are disqualified for licensure and for employment with a charter school, school district, or education service cooperative, and that you are entitled to request a waiver of that disqualification from the State Board of Education. Below are the steps to follow to seek a waiver.

**Ark. Code Ann. § 6-17-410**

Provides that the Department of Education shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry or has pled guilty or nolo contendere to or has been found guilty of any of [certain listed] offenses, *including offenses which have been expunged or pardoned.*

**Ark. Code Ann. § 6-17-411**

Requires a background check for initial employment with a charter school, school district, or education service cooperative.

### **1 Request a Hearing**

---

To request a hearing for a waiver of the disqualifying offense, you must submit your written request to the Department by mail, fax, or email, within thirty (30) days of the date you are notified of the disqualification.

You may, but are not required to be, represented by an attorney at any stage of this process.

### **2 Provide Documentation**

---

The Department will confirm your request for a waiver and ask you to provide a written statement and any supporting documents that at a minimum address the circumstances that the Board will consider (see STEP 3), including the names and phone numbers of persons who may verify information contained in your statement or documentation. You must also provide a signed and notarized form providing authorization for the release of criminal records from courts and law enforcement. If your documentation is received less than six (6) weeks before the scheduled State Board meeting the matter may be postponed until after all documentation is received and reviewed by the Department.

### **3 Accept or Reject the Department's Recommendation**

---

After reviewing the documentation received from you or from other agencies, the Department will advise you of its decision to:

- Recommend a waiver to the State Board, including any conditions for licensure, such as:

- Probation or suspension for a specific period of time;
- Counseling, rehabilitation, or training;
- Background check at end of probation or suspension;
- No other disqualifying offenses or ethics violations during the probation or suspension period;
- Recommend that the State Board not issue, not renew, or revoke the license as applicable; or
- Decline to make a recommendation.

You will be given the opportunity to accept or reject the recommendation.

- If you **accept** the recommendation, the matter will be placed on the State Board's consent agenda. The consent agenda is voted on at that public meeting, and therefore, any documents presented to the State Board are public. If the matter is submitted on the consent agenda, you do not have to appear at the meeting. However, sometimes the State Board members have questions, and you may want to be there to respond to those questions. The State Board has the final decision and may accept a recommendation on the consent agenda or reject the recommendation and afford the educator the opportunity for a hearing at a later date.
- If you **reject** the recommendation, you will proceed to a hearing.

## **4 State Board Hearing**

---

If you request a hearing, you should appear at the meeting and be prepared to present your case and answer questions from the State Board members. If you request a hearing and do not appear, the State Board may decide the matter without you being present. Hearings are conducted at a public meeting of the State Board that is videoed by live streaming and archived. All documents provided to the State Board are public record. You should consult the Rules Governing Background Checks and Licensure Revocation for information on the hearing process (Section 8). The rules are online at <http://www.arkansased.org/> under Rules – Current.

The circumstances that the State Board may consider includes, but is not limited to:

- The age at which the crime or incident was committed
- The circumstances surrounding the crime or incident
- The length of time since the crime or incident
- Subsequent work history
- Employment references
- Character references
- Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

The State Board typically makes a decision at the time of the State Board meeting at which the consent agenda or hearing is considered.

**From:** Courtney Sanders  
**To:** [Simone Blagg \(ADE\)](#)  
**Subject:** "Schedule a Hearing for a Waiver"  
**Date:** Tuesday, September 11, 2018 10:09:15 AM

---

Dear sir or mam,

I'm requesting a hearing for a waiver of a disqualifying offense. I thank you in advance for the opportunity to clear my name and get this situation resolved. Please let me know if there is anything I need to do in the meantime.

Thanks,

--

**Courtney Sanders**  
**Teacher/Assistant Coach**



# FELONY INFORMATION

IN THE LAFAYETTE COUNTY CIRCUIT COURT

THE STATE OF ARKANSAS

VS.

NO. CR-95-20-1

COURTNEY LAROY SANDERS  
a/k/a COURTNEY LAROY VOLENTINE

Black Male Born [REDACTED]

I, BRENT HALTOM, PROSECUTING ATTORNEY WITHIN AND FOR THE EIGHTH JUDICIAL CIRCUIT OF THE STATE OF ARKANSAS, of which Lafayette County is a part, in the name and by the authority of the State of Arkansas, on oath, accuse the defendant COURTNEY LAROY SANDERS a/k/a COURTNEY LAROY VOLENTINE with the crime of violating Ark. Code of 1987 Ann. § 5-14-103 RAPE committed as follows, to-wit: The said defendant on or about the 1st day of March 1995, in Lafayette County, Arkansas, did wilfully, unlawfully and feloniously,

engage in sexual intercourse or deviate sexual activity with another person by forcible compulsion, and/or engage in sexual intercourse or deviate sexual activity with another person who was less than 14 years of age, said person being [REDACTED], who was born on [REDACTED], and was 13 years of age at the time, against the peace and dignity of the State of Arkansas

CLASS "Y" FELONY -

Punishable by imprisonment for not less than 10 years nor more than 40 years, or life.

BRENT HALTOM, Prosecuting Attorney

By

[Signature]  
Deputy Prosecuting Attorney

Subscribed and sworn to before me this 8th day of March 1995.

[Signature]  
Circuit Clerk

FILED

2:15 P.M.  
MAR 08 1995

[Signature]  
JUNE STEVENS  
CIRCUIT & CHANCERY CLERK  
LAFAYETTE COUNTY ARK

ADE Exhibit 5

1 of 13



IN THE MUNICIPAL COURT OF LAFAYETTE COUNTY, ARKANSAS  
AFFIDAVIT FOR WARRANT OF ARREST FOR THE FOLLOWING PERSON:

COURTNEY LAROE SANDERS VOLENTINE  
POTENTIAL DEFENDANT'S NAME

AGE/DOB/RACE/SEX

X Felony

Misdemeanor

Violation

ADDRESS

PHONE

Pursuant to Rule 7.1 of the Arkansas Criminal Procedure, the undersigned affiant, being duly sworn, deposes and says that he has reason to believe that the above-named person has committed the offense of violating Arkansas Code:

5-14-103. Rape

On or about the 3rd day of March, 19 95, committed by unlawfully  
See Attachment "A"

In Lafayette County, Arkansas, against the peace and dignity of the State of Arkansas  
FACTS CONSTITUTING REASONABLE CAUSE

On March 1, 1995 at approximately 2 p.m. Courtney S. Volentine raped in  
the typing room of the Stamps High School. Courtney grabbed arm and pulled down  
pants, made her turn around and bend over. Courtney then penetrated  
vagina with his finger then with his penis. then stood up, pulled up her  
pants and ran to the bathroom. Attached hereto are: Attachment "A", Offense/Incident

Report. Statement of Rights Form. CIS-6 form. Statement of Courtney  
Sanders Volentine.

FILED ON THIS 3rd DAY  
OF March 19 95  
Charles Cole  
Lafayette Co. Municipal Court Clerk

(Continue on Back)

I swear that the allegations contained herein are the truth, the whole truth and nothing  
but the truth.

Todd D. Smith  
Affiant's Signature

203 Thomas Street, Stamps, AR 71860  
Address

Todd D. Smith, Chief  
Printed Name and Title, if any

533-4951  
Phone

SUBSCRIBED AND SWORN TO before me on the 3rd day of March, 1995.

(Seal)

Charles Cole  
JUDGE/NOTARY PUBLIC/CLERK

MY COMMISSION EXPIRES: 12-31-95

I hereby find that this sworn Affidavit demonstrates reasonable and probable  
cause for the issuance of a Warrant of Arrest for the above-named individual for the  
above stated offense, and issuance of such is hereby authorized.

3-3-1995 4:15 P.M.  
DATE

Pat Robinson  
SIGNATURE AND TITLE OF JUDGE

ADE Exhibit 5  
2 of 13

**ATTACHMENT "A"**

**5-14-103. Rape.**

**(a) A person commits rape if he engages in sexual intercourse or deviate sexual activity with another person:**

**(1) By forcible compulsion;**

**(3) Who is less than fourteen (14) years of age. It is an affirmative defense to prosecution under this subdivision that the actor was not more than two (2) years older than the victim.**

**(b) Rape is a Class Y felony.**

*73. P. 11*

RAP  
CLASS CLASSIFICATION  
3/2/95 10:06 AM  
DATE & TIME OF REPORT

Stamps Police Department  
Stamps, Arkansas

PAGE NO. \_\_\_\_ OF \_\_\_\_ PAGE

CASE NO. 95-803-007

OFFENSE/INCIDENT REPORT

1 COMPLAINANT OR FIRM [REDACTED] 13 Age		2 PHONE (BUSINESS)			
3 COMPLAINANT'S ADDRESS [REDACTED]		4 PHONE (RESIDENCE) [REDACTED]			
6 REPORTED BY <u>Comp.</u>		WILL COMPLAINANT PROSECUTE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
7 OFFENSE/INCIDENT (AS REPORTED) <u>Rape</u>		8 LOCATION ADDRESS <u>Typing room Stamps High School</u>			
10 DAY DATE & TIME OF OFFENSE <u>3-1-95 1:45 PM.</u>		12 HOW REPORTED <u>IN-PERSON</u>			
13 BODILY INJURIES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		15 DESC. INJURIES			
16 M/O HOW DONE FORCE USED <u>HAPPEN IN Stamps High School Typing Room</u>		OTHER ACTS OR TRADEMARKS			
17 VEHICLE INVOLVED? OWNER NO <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A		18 YEAR COLOR MAKE MODEL BODY STYLE L/C NO. YEAR STATE VIN NO.			
CODES: S-STOLEN PROPERTY D-DAMAGED PROPERTY L-LOST PROPERTY F-FOUND PROPERTY					
19 PROPERTY SECTION	CODE S-D-L-F	QTY.	DESCRIPTION (SIZE, COLOR, MODEL, STYLE, MATERIAL, CONDITION)	SERIAL NO.	EST. VALUE
			<u>Rape</u>		
20 DISPOSITION OF PROPERTY				21 TOTAL VALUE	
22 WITNESSES NAME		ADDRESS	AGE	PHONE RES.	PHONE BUS.
1.					
2.					
23 NAME AND ADDRESS OF SUSPECT(S) (AGE, RACE, DESCRIPTION, RELATION TO COMPLAINANT OR WITNESS)					
1. <u>Courtney Sanders B/M</u>					
2.					

24 DETAILS NOT COVERED ABOVE

On 3/3/95 at approximately 2pm Courtney Sanders Volentine told [REDACTED] to meet him in the typing room at the high school. When [REDACTED] went into the room Courtney grabbed her by the arm, pulled down her pants, made her turn around and penetrated her vagina with his finger then his penis. [REDACTED] then stood up pulled up her pants and ran to the bathroom.

5 INVESTIGATING OFFICER(S) <u>Todd Smith, Peter Briggs</u>		25 REPORT MADE BY <u>Peter Briggs</u> DATE <u>3/3/95</u>	
27 CASE FILED YES <input type="checkbox"/> NO <input type="checkbox"/>		29 APPROVED BY BADGE NO. <u>LC-4</u>	
28 THIS CASE IS Cleared by arrest <input type="checkbox"/> Unfounded <input type="checkbox"/>			

This is Todd Smith, with the Stamps Police Department. The time is 10:09 a.m. on March 3, 1995. [REDACTED] white female, date of birth is [REDACTED] Her residence is [REDACTED] Home phone number is [REDACTED]

TODD [REDACTED] is giving us a statement concerning an incident which happened on March 1, 1995 at approximately 2:00 p.m. in the typing room of the Stamps High School. The incident is also concerning a black male, Courtney Sanders, as a suspect.

Present

with me is Peter Briggs, with the Lafayette County Sheriff's Office and I am Todd Smith with the Stamps Police Department. At this time [REDACTED] we would like for you to tell us in your own words and be as detailed as you can and try to speak up clearly of the incident that happened March 1st.

[REDACTED] I, work in the office 6th period and I was going to get my books out of my locker and I saw [REDACTED] in Mrs. Johnson's office. And I was going in there to talk to her and I didn't see Courtney at the time and when I walked in there I saw him. Any way I didn't really think any, much about it. And ugh, I started talking to Dora and Courtney stood up and said something like come to Mrs. Gasaway's room, he said come somewhere and I really didn't pay him any attention, cause he walked out. And I went and I was going to get my books and I wanted to see if he was down there, because no body else was down there because they had to go to a funeral. And he was standing at the door and he kind of stepped back and wanted me to come in, so I opened the door and ugh, I stepped and I turned a couple of steps and he took off his jacket and he came up to me and ugh and tried to unbutton my pants and I told him no right then and he, he did it again, he was saying please [REDACTED] come on [REDACTED] and I was telling him no I can't do this, and ugh anyway he unbuttoned my pants and tried to pull them down and I told him no I can't do this and ugh anyway, he pulled them down real fast and turned me around where my back side was to the front of him. He told me to bend over and he started unbuckling his belt and unbuttoning his pants and he stuck his finger in my vagina and then he stuck his penis in my vagina and I was telling him no I can't do this I am at school and I've got to get back to the office don't do this to me and if you do, don't you get me pregnant. I don't think I can stop you, but don't get me pregnant.

He said I won't, I won't come on [REDACTED], come on and I said Courtney you know I can't, but he just kept on, he wouldn't listen to me and ugh finally I didn't care what he would do, but I had to get out of this so I kind of stood up and I pulled my pants back up and buttoned them and went to the bathroom and I cleaned my self up and everything and I went back to the office and just sat in there trying to act like nothing had happened and ugh then the bell rang and I went to my 7th period class and everything. And right after my 7th period class I went back to the bathroom and there wasn't very much bleeding or anything going on by that time and then he didn't say anything to me Thursday, he just kind of waved at me and then that is when my coach came in there and asked me about it, because he said he had heard something about it and he asked me was I raped and I told him yes sir I was. And I went back through the whole story and I told him the whole story and then he came in there this morning and got me and I had to talk to my step dad and then they brought me down here. And that is about all.

TODD [REDACTED] I have a couple of questions for you. The coaches name who was that asked you.

[REDACTED] Coach Lynch, Chris Lynch

TODD He said that he had heard it.

[REDACTED] He said that he had heard it. He said that somebody, he had heard somebody saying something about it and he hated to ask me about it, but that it was real serious and he wanted to know.

TODD When Courtney did penetrate you did Courtney finish or

[REDACTED] I don't think so, cause I, he was hurting me, so I didn't care what he did or if he hit me, it didn't matter I was going to get out of there

PETER Did he hit you?

[REDACTED] No he did not hit me.

PETER He did not ejaculate inside of you.



[REDACTED] I don't, no, un ugh he may have, I don't know ugh.  
TODD Are you and Courtney friends?

[REDACTED] Were

TODD Have you seen each other in the past? Have you ever

[REDACTED] No, not gone out or anything we haven't

TODD Dates or anything like that

[REDACTED] Nuh ugh

TODD Just school acquaintances. Has Courtney ever made any  
acquisitions toward you of wanting to go out with you  
or to.

[REDACTED] We had talked about it and we just decided it would be better  
if we didn't and he is a Senior this year and I was just an 8th  
grader and I didn't want that to happen and I kind of figured  
what he wanted and I didn't want that to happen and I didn't.

TODD When Courtney, when you first saw him, and he said meet you  
somewhere, can you try to remember exactly what he said  
or you said you weren't sure if he said Mrs. Gasaway's

[REDACTED] I wasn't really sure what he said, I heard him say meet me  
and he said the place, because he said it real low and I  
couldn't really recall what he said, but I thought that is what  
it kind of sounded like. So I went down there because if  
knew they went to a funeral to see if he was in there.

TODD Okay, you had no idea what he wanted.

[REDACTED] I, ungh, I had no idea.

TODD Has he ever done that is the past, ask you to meet him in  
a class of somewhere .

[REDACTED] No sir.

PETER Where was everybody at yesterday?

**[REDACTED]** It was class time, are you talking about Wednesday  
**PETER** Ya.

**[REDACTED]** It was during a class time and he was suppose to be in  
Mrs. Gasaway's class, but she had gone to a funeral.  
So, he went to Mrs. Johnson's office and he walked out  
of Mrs. Johnson's office and told me to meet him.

**TODD** So, there was no one else in the classroom

**[REDACTED]** No

**TODD** I don't have any other questions at this time, do you think  
maybe they

**PETER** What did he have on that day, Courtney.

**[REDACTED]** I don't even know, I am not sure.

**PETER** Say he had a jacket on or coat

**[REDACTED]** He had a jacket, it was a bluish color

**PETER** You did wash up once, you did wash up.

**[REDACTED]** Ugh, yes sir.

**PETER** Did you tell anybody in the office when you went back to the  
office, you didn't say anything.

**[REDACTED]** I was scared, I didn't know what to do.

**PETER** You didn't say anything.

**[REDACTED]** I didn't say anything

**TODD** Did Courtney tell you not to tell anybody, threaten you in any  
manner about talking to anyone about this.

**[REDACTED]** It was right after, I walked out and he did not say a word  
to me. I didn't take to him or anything.

**TODD** And all the time at first, all he was saying was for you to come

on.  
Uh-huh

PETER

You didn't say anything else while he was pulling your pants down.

He was just doing it and I was telling him to stop that I didn't want to and I told him I can't do this and he did it anyway.

PETER

You said something about blood a while ago, when he penetrate you, did it make you bleed.

A little bit uh-huh

PETER

That is all the questions I have.

TODD

That is all the questions I have also

Todd Smith stated this concludes the statement from [REDACTED] the time is 10:19 a.m. on March 3rd, 1995.

Transcribed on March 3, 1995 11:00 a.m. by Alta Malone, Recorder/Treasurer  
City of Stamps.

Alta Malone  
Alta Malone, Rec/Tres

Sworn before me a notary public on March 3, 1995.

Paula D. League  
Notary Public

My Commission expires:  
May 15, 2000



# Stamps Police Department

203 Thomas Street  
Stamps, Arkansas 71860

Phones  
Mon-Fri (501)  
533-4951  
Nites & Weekends  
(501) 921-4252

## MIRANDA RIGHTS FORM

NAME: Courtney Lakoy Sanders Valentine DOB: [REDACTED]

PLACE: CID Room

DATE: 3/2/95 TIME: 12:12 p.m.

Before asking you any questions, I want to advise you of your rights.

1. Do you understand that you have the right to remain silent?  
RESPONSE: yes
2. Do you understand that anything you say may be used against you in a court of law?  
RESPONSE: yes
3. Do you understand that you have the right to talk to an attorney before any questioning and to have an attorney present with you during questioning?  
RESPONSE: yes
4. Do you understand that, if you cannot afford to hire an attorney, one will be appointed by the court for you prior to any questioning, at no cost to you?  
RESPONSE: yes
5. Do you understand that if you decide to answer questions now, you can decide to stop answering questions at any time and that you can stop answering questions at any time until you talk to an attorney?  
RESPONSE: yes

I UNDERSTAND THE RIGHTS LISTED ABOVE.

SIGNED: Courtney Sanders  
WITNESSES: Pete Buggs Will D. Smith

## WAIVER OF RIGHTS

NO PROMISES OR THREATS HAVE BEEN USED AGAINST ME TO INDUCE ME TO WAIVE THE RIGHTS LISTED ABOVE. WITH FULL KNOWLEDGE OF MY RIGHTS, I HEREBY VOLUNTARILY, KNOWINGLY AND INTELLIGENTLY WAIVE THEM AND AGREE TO ANSWER QUESTIONS.

SIGNED: Courtney Sanders  
WITNESSES: Pete Buggs Will D. Smith

STAMPS POLICE DEPARTMENT  
CRIMINAL INVESTIGATION SECTION

DESCRIPTION OF SUBJECT

CIS-6

NAME Courtney Sha Roy Sanders <sup>Valentine</sup> DL# [REDACTED] STATE AR  
ALIAS SANDYMAN SS# [REDACTED]  
ADDRESS [REDACTED] PHONE [REDACTED]  
RACE B SEX M AGE 18 DOB [REDACTED] POB [REDACTED]  
HEIGHT 5'10 WEIGHT 200 COMPLEXION [REDACTED] HAIR Black EYES Brown  
SCARS & MARKS [REDACTED]

PECULIARITIES Right Handed  
OCCUPATIONS Student  
EMPLOYER Stamps High School  
EDUCATION 12th  
MARITAL STATUS Single SPOUSE [REDACTED]  
RELATIVES Mother - TERESA Sanders

VEHICLE Blue GEO Tracker 1991  
DATE ARRESTED 3/31/95 PLACE ARRESTED Stamps, AR  
RECORD FROM [REDACTED] CHARGE Rape  
DISPOSITION [REDACTED]  
PHOTOGRAPHED yes DATE 3-3-95 AGENCY Stamps P.D.  
FINGERPRINTED yes DATE 3-3-95 AGENCY " "  
CASE NUMBER 95-803-007 INVESTIGATOR P. Briggs / T. Smith



This is Todd Smith, Chief of Stamps Police Department the time is 11:17 a.m. the date is March 3rd, 1995 I am at the Lafayette County Sheriff's Office in the back office. Present with me is Investigator Peter Briggs of the Lafayette County Sheriff's Office, myself and Courtney Roy Sanders Volentine, black male date of birth [REDACTED] he resides at [REDACTED] his phone number is [REDACTED]. We're conducting an interview with Courtney concerning an incident which happened March 1st, 1995 at approximately 2:00 p.m. at the Stamps High School in the typing room with the victim of [REDACTED]

TODD                    Alright, Courtney if you would tell us in your own words everything that happend on March 1st.

PETER                  Courtney, before you tell us what happened, being advised of your constitutional rights, do you understand your constitutional rights that I read to you. Your miranda rights. Do I need to read them to you again?

COURTNEY    Yes

PETER                  Do you understand you have the right to remain silent.

COURTNEY    Yes

PETER                  Do you understand that anything you say can and may be used against you in the court of law.

COURTNEY    Yes

PETER                  Do you understand that you have the right to talk to an attorney before any questioning and to have an attorney present with you during questioning.

COURTNEY    Yes

PETER                  Do you understand that if you cannot afford to hire an attorney one will be appointed by the court for you prior to any questioning at no cost to you.

COURTNEY    Yes

PETER Do you understand that if you decide to answer questions now, you can decide to stop answering questions at any time and that you can stop answering questions at any time until you talk to an attorney.

COURTNEY Yes

PETER You do understand your rights.

COURTNEY Yes

PETER Ok, so in your own words, will you tell us what happened on March 1st, 1995 at the high school.

COURTNEY I'd like to have an attorney.

TODD That will conclude the interview, Courtney advised he would like to talk to an attorney. The time is 11:20 a.m.

Transcribed on March 3, 1995 at 3:00 p.m. by Alta Malone, Recorder/Treasurer City of Stamps.

Alta Malone

Alta Malone, Rec/Tres

Sworn before me a notary public on March 3, 1995.

Paula D. League  
Notary Public

My commission expires:  
May 15, 2000

**JUDGMENT AND DISPOSITION ORDER**  
**IN THE CIRCUIT COURT OF Lafayette COUNTY, ARKANSAS**  
**Eighth DISTRICT First DIVISION**

On Aug. 29 1995 the defendant personally appeared before the Court and, having been informed by the Court of the nature of the charge(s), of his/her constitutional and legal rights, of the effect of a guilty plea upon those rights, and of his/her right to make a statement before sentencing, the Court made the following findings:

- ☐ Defendant voluntarily, intelligently, and knowingly entered: ☐ negotiated plea or ☐ plea directly to the court of ☐ guilty or ☐ nolo contendere to the charge(s) herein enumerated and acknowledged factual bases for charge(s);
- ☒ Defendant was found guilty of said charge(s) by the Court, sitting as trier of fact;
- ☒ Defendant was found guilty at jury trial.
- ☐ Defendant entered a plea as shown above and was sentenced by a jury.

DEFENDANT'S FULL NAME Courtney Laroy Sanders DATE OF BIRTH [REDACTED] RACE B SEX M SID # [REDACTED] ALIAS: [REDACTED]

DEFENDANT'S ATTORNEY Larry Dunklin Criminal History Score [REDACTED] PROSECUTING ATTORNEY/ DEPUTY Danny Rodgers AT# [REDACTED]

- ☒ Defendant was represented by ☒ private counsel ☐ court appointed legal counsel ☐ public defender ☐ himself/herself.
- ☐ Defendant made a voluntary, knowing and intelligent waiver of his/her right to counsel.

There being no legal cause shown by the defendant, as requested, why a judgment should not be pronounced against him/her, a judgment is hereby entered against the defendant, fines levied and court costs assessed, as shown below:

CODE NO.	OFFENSE	A/S/C	OFFENSE DATE	DOCKET #	COUNTS	F/M	CLASS
5-14-108	#1 Sexual Abuse-1st		03/01/95	CR-95-20	1	F	C
	#2						
	#3						
	#4						

FINES \$ 7500.00 JAIL TIME CREDIT [REDACTED] DAYS OR ☐ NONE

COURT COSTS \$ 128.25

A judgment of restitution is hereby entered against the defendant in the amount and terms as shown below:

Amounts [REDACTED] ☐ Due immediately or ☐ Installments(specify) [REDACTED]

Payment to be made to ☐ Dept. of Community Punishment or ☐ [REDACTED]

If multiple beneficiaries, give names and show payment priority.

Defendant is hereby assigned to the Department of Community Punishment (D.C.P.) and/or placed on probation for each charge as shown below:

OFFENSE	PERIOD OF CONFINEMENT	PERIOD OF PROBATION	S.I.S.	HABITUAL OFFENDER (A.C.A. 5-4-501)
#1				<b>FILED</b>
#2				<b>AUG 29 1995</b>
#3				<b>JUNE STEVENS</b>
#4				<b>CIRCUIT &amp; CHANCERY CLERK LAFAYETTE COUNTY, ARK.</b>

Defendant has knowledge and understanding of the consequences of the sentence and/or placement on probation and violations thereof. Defendant was informed of the right to appeal. Appeal Bond is set at \$ [REDACTED]

A copy of the presentence investigation report or sentencing information, including but not limited to criminal history elements, is attached. ☐ Yes ☐ No

If disposition is a departure from sentencing grid, is departure sheet attached? ☐ Yes ☐ No

Conditions of Disposition/Probation are attached. ☐ Yes ☐ No

The County Sheriff is hereby ordered to ☐ transport the defendant to [REDACTED] County Jail, ☐ take custody of the Defendant for referral to CP.C.. ☐ Defendant shall report to his/her probation officer for assignment of a reporting date to [REDACTED]

Date 8/29/95 Circuit Judge(Print or type) Joe Griffin Circuit Judge (Signature) [Signature]

I certify this is a true and correct record of this Court.

Date 8/29/95 Circuit Clerk/Deputy June Stevens [Signature] (Seal)

Date [REDACTED] I acknowledge receipt of judgment. Defendant (Signature) [REDACTED]

SHERIFF'S RETURN			
Date Rel. On Appeal Bond	Date Ret. To Custody	I certify the Def. named within was delivered to:	Date Sheriff/Deputy(Sig.)
		<input type="checkbox"/> <u>[REDACTED]</u> County Jail or <input type="checkbox"/> Community Punishment Center	<b>ADE Exhibit 6</b> <b>1 of 1</b>

White: Court File, Blue: D.C.P., Green: A.O.C., Goldenrod: Prosecutor, Pink: Defense Attorney, Yellow: Sheriff, Pink: Defendant

\*\*\*Current through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.\*\*\*

Title 6 Education  
Subtitle 2. Elementary And Secondary Education Generally  
Chapter 17 Personnel  
Subchapter 4-- Licensure Generally

A.C.A. § 6-17-410

[A.C.A. § 6-17-410 \(Lexis Advance through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission\)](#)

6-17-410. Teacher licensure -- Application, renewal application, revocation, suspension, and probation -- Definitions.

(c) The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry or has pled guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:

- (1) Capital murder as prohibited in § 5-10-101;
- (2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;
- (3) Manslaughter as prohibited in § 5-10-104;
- (4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;
- (5) Aggravated assault as prohibited in § 5-13-204;
- (6) Terroristic threatening in the first degree as prohibited in § 5-13-301;



- (7) Kidnapping as prohibited in § 5-11-102;
- (8) Rape as prohibited in § 5-14-103;
- (9) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 -- 5-14-127;
- (10) Incest as prohibited in § 5-26-202;
- (11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;
- (12) Distribution to minors as prohibited in § 5-64-406;
- (13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;
- (14) Sexual indecency with a child as prohibited in § 5-14-110;
- (15) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;
- (16) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;
- (17) False imprisonment in the first degree as prohibited in § 5-11-103;
- (18) Permanent detention or restraint as prohibited in § 5-11-106;
- (19) Permitting abuse of a child as prohibited in § 5-27-221(a);
- (20) Negligent homicide as prohibited by § 5-10-105(a);
- (21) Assault in the first degree as prohibited by § 5-13-205;
- (22) Coercion as prohibited by § 5-13-208;
- (23) Public sexual indecency as prohibited by § 5-14-111;
- (24) Indecent exposure as prohibited by § 5-14-112;



- (25) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;
- (26) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;
- (27) Computer child pornography as prohibited in § 5-27-603;
- (28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605;
- (29) Felony theft as prohibited in §§ 5-36-103 -- 5-36-106 and 5-36-202;
- (30) Robbery as prohibited by §§ 5-12-102 and 5-12-103;
- (31) Breaking or entering as prohibited by § 5-39-202;
- (32) Burglary as prohibited by § 5-39-201 and aggravated residential burglary as prohibited by § 5-39-204;
- (33) Forgery as prohibited by § 5-37-201;
- (34) Video voyeurism as prohibited by § 5-16-101;
- (35) Domestic battering in the first degree as prohibited by § 5-26-303;
- (36) Domestic battering in the second degree as prohibited by § 5-26-304;
- (37) Felony violation of an order of protection as prohibited by § 5-53-134;
- (38) Prostitution as prohibited by § 5-70-102;
- (39) Sexual solicitation as prohibited by § 5-70-103;
- (40) Promoting prostitution in the first degree as prohibited by § 5-70-104;
- (41) Promoting prostitution in the second degree as prohibited by § 5-70-105;
- (42) Stalking as prohibited by § 5-71-229;
- (43) Failure to notify by a mandated reporter in the first degree as prohibited by § 12-18-201;

(44) Any felony not listed in this subsection and involving physical or sexual injury, mistreatment, or abuse against another;

(45) Aggravated assault upon a law enforcement officer or an employee of a correctional facility, § 5-13-211, if a Class Y felony;

(46) Sexual extortion, § 5-14-113; and

(47) Failure to comply with the registration and reporting requirements of § 12-12-904.