

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

DAVID CLARK

APRIL 13, 2023

PLSB CASE NO. 22-126

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on April 13, 2023, 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 David Clark (“Educator Clark”). Based upon Educator Clark’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 Clark a standard five-year teaching license on January 13, 2023, valid until December 31, 2027.
- b. The Ethics Subcommittee received an allegation that Educator Clark violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. On May 6, 2022, the Ethics Subcommittee authorized an investigation into allegations that Educator Clark violated *Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom;* *Standard 2: an educator maintains competence regarding his or her professional practice, inclusive of professional and ethical behavior, skills, knowledge, dispositions, and responsibilities relating to his or her organizational position;*

- d. Educator Clark was notified on May 11, 2022, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on March 3, 2023, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 2 in that Educator Clark:
- Exhibited inappropriate disposition inclusive of professional and ethical behavior.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
1. Written reprimand.
 2. Assess a \$100 fine (due within 90 days of the State Board Order);
 3. Require Educator to complete the following coursework/readings:
 - a. Code of Ethics Training Provided by the PLSB (1.5 Hours);
 - b. LAG17029 Success Favors Well-Prepared Adults: Unpacking your Personality Package (1 Credit Hour); and
 - c. Title: I Notice: A Step-by-Step Guide to Transform Student Potential Through Building Intentional Relationships Author: Claire E. Hallinan ISBN-10: 1733035613 ISBN-13: 978-1733035613.
 4. Educator to provide written reflections on how each of these trainings will impact his interactions with students in the future and how he will utilize these strategies going forward (due within 90 days of the State Board order); and
 5. Require Educator to pay all associated costs.
- g. On March 3, 2023, Educator Clark's attorney, was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator

Clark accepted the Ethics Subcommittee's recommendation thereby waiving his right to any further notice, hearing, or any other rights he may 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, Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the Ethics Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Clark for his violation of the Code of Ethics.
- b. Educator Clark is cautioned that his non-payment of the assessed fine of \$100 may result in the suspension of his license until the fine is paid in full.
- c. Educator Clark 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 his license.
- d. This order shall remain permanently in Educator Clark's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Ouida Newton, Chair
Arkansas State Board of Education