

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF
ALAN RATHMANN
02/10/2022**

**LICENSURE ACTION
CASE NO.:
LA-22-003**

At its regular meeting on February 10, 2022, the Arkansas State Board of Education (“Board”) considered the matter of Alan Rathmann (“Mr. Rathmann”) concerning a disqualifying offense. Based upon 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 Division received information that Mr. Alan Rathmann has a true report and is listed on the Child Maltreatment Registry which is a disqualifying offense for educator licensure for preservice teachers under Ark. Code Ann. § 6-17-410(c).
- b. Mr. Rathmann was notified of the disqualifying offense and had thirty (30) days to request a waiver hearing on the disqualifying offense.
- c. Mr. Rathmann requested a hearing per the Rules Governing Background Checks.
- d. The Board considered:
 - i. The educator’s age at the time of the offense;
 - ii. The circumstances surrounding the offense;
 - iii. The length of time since the offense;
 - iv. The educator’s subsequent work history;
 - v. The educator’s employment and character references; and
 - vi. Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.
- e. A motion was made to grant a conditional waiver to Mr. Rathmann to apply during his enrollment in the educator preparation program and ending upon application for licensure. The motion carried.

II. Conclusions of Law

- a. The State Board of Education may consider the enumerated offenses as a disqualification for licensing including a true finding and placement on the Child Maltreatment Central Registry. See Ark. Code Ann. §§ 6-17-410(c), 6-17-410(d) (A)(5) and 6-17-411. This includes offenses which have been expunged, sealed, and pardoned by the governor.
- b. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-410 and 25-15-201 et seq., Mr. Rathmann's disqualifying offense is waived.

IT IS SO ORDERED.



Ouida Newton, Chair
Arkansas State Board of Education