

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

TERRI BARKER

MARCH 10, 2022

PLSB CASE NO. 21-116

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on March 10, 2022, 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 Terri Barker (Educator Barker). Based upon Educator Barker'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 Terri Barker a standard five-year teaching license on January 1, 2020, valid until December 31, 2024.
- b. The Ethics Subcommittee received an allegation that Terri Barker 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 June 2, 2021, the Ethics Subcommittee authorized an investigation into allegations that Educator Barker 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 Barker was notified on June 2, 2021, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on September 3, 2021, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 1 and 2 of the Code of Ethics. Educator Barker rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- f. On January 26, 2022, Educator Barker appeared for her evidentiary hearing before the Hearing Subcommittee. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing, the Hearing Subcommittee found that a preponderance of evidence existed to substantiate violation of Standards 1 and 2 in that Educator Barker:
 - Engaged in inappropriate interactions with a student.
 - Engaged in physical contact with a student.
 - Exhibited an inappropriate disposition inclusive of professional and ethical behavior.
- g. The Hearing Subcommittee recommended that the State Board take the following actions:
 1. Probation of License for 6 months.
 2. Require Educator to complete the following coursework/readings:
 - a. ERC20059: Professional Licensure Standards Board Code of Ethics for Arkansas Educators: Ethical Scenarios in Education (2020)
 - b. 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

- c. ERC20080 IDEAS - We Are All in This Together: Building Student Relationships (.5 hours)
- d. IAC17033 RTI Arkansas: PBIS Overview

3. Require Educator to prepare written reflections for each training and

4. And require Educator to pay all associated costs.

h. On January 26, 2022, Educator Barker, was notified of the Hearing Subcommittee's final determination and recommendation by secure server to her attorney Jennifer Flinn. Educator Barker accepted the Hearing Subcommittee's recommendation thereby waiving her right to any further notice, hearing, or any other rights she may have under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

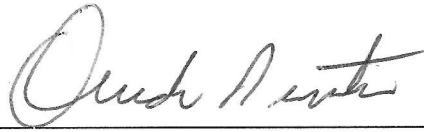
i. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

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 Barker for her violation of the Code of Ethics.

b. This order shall remain permanently in Educator Barker's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

A handwritten signature in cursive script, appearing to read "Ouida Newton", written in black ink.

Ouida Newton, Chair
Arkansas State Board of Education