

## THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:**

**LISA RENAE SMITH**

**DECEMBER 8, 2022**

**PLSB CASE NO. 22-134**

### **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

At its regular meeting on December 8, 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 Lisa Renae Smith (“Educator Smith”). Based upon Educator Smith’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 Smith a standard five-year teaching license on January 1, 2021, valid until December 31, 2025.
- b. The Ethics Subcommittee received an allegation that Smith 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 Smith 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;*  
*Standard 4: an educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship;*  
*Standard 6: an educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures; and*  
*Standard 7: an educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations;*

- d. Educator Smith was notified on May 9, 2022, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on November 2, 2022, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 2, 4, 6, and 7 in that Educator Smith:
- Exhibited inappropriate disposition inclusive of professional and ethical behavior.
  - Engaged in inappropriate use of school property or funds.
  - Failed to maintain integrity in testing procedures.
  - Failed to maintain student confidentiality.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
1. Probation of license for 6 months.
  2. Assess a \$150 fine (due within 90 days of the State Board Order);
  3. Require Educator to complete the following coursework/readings:
    - a. ERC20010 Family Educational Rights and Privacy Act (FERPA)  
Credit Hours: .5

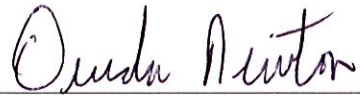
- b. Code of Ethics training provided by PLSB staff.
- 4. Continued therapy with a written reflection on how educator will set boundaries between personal and professional life.
- 5. Educator to provide written reflections on each individual training on how the educator will incorporate these trainings in her professional practices.  
Due to the PLSB 30 days prior to the end of probation for approval.
- 6. Require Educator to pay all associated costs.
- g. On November 2, 2022, Educator Smith's attorney was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Smith accepted the Ethics 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.
- 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 Smith for her violation of the Code of Ethics.
- b. Educator Smith is cautioned that her non-payment of the assessed fine of \$150 may result in the suspension of her license until the fine is paid in full.

- c. Educator Smith 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 Smith's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



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Ouida Newton, Chair  
Arkansas State Board of Education