

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

CHRISTA ERMERT

NOVEMBER 10, 2022

PLSB CASE NO. 23-013

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on November 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 Christa Ermert (Educator Ermert). Based upon Educator Ermert's failure to respond to 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 Ermert a standard five-year teaching license on January 1, 2022, valid until December 31, 2026.
- b. The Ethics Subcommittee received an allegation that Educator Ermert 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 July 8, 2022, the Ethics Subcommittee authorized an investigation into allegations that Educator Ermert 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 8: an educator, while on school premises or at school-sponsored activities involving students, refrains from: a) using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances, and/or possessing items prohibited by law, b) possessing or using tobacco or tobacco-related products, e-cigarettes, e-liquid, or vapor products, or c) abusing/misusing prescription medications or other authorized substances as evidenced by impairment.

- d. Educator Ermert was notified on July 11, 2022, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on October 7, 2022, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standards 1, 2, and 8 in that Educator Ermert:
 - Engaged in interactions with students while under the influence of drugs or alcohol.
 - Exhibited inappropriate disposition inclusive of professional and ethical behavior.
 - Violated district, state or federal policies or law.
 - Was under the influence of alcohol while on school premises during contract hours.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
 1. Suspension of license for 9 months followed by a 1 year probation of license.
 2. Assess a \$300 fine (due within 90 days of the State Board Order);
 3. Continued participation in AA meetings through the duration of the suspension and probation with quarterly reports on progress and attendance submitted to the PLSB Subcommittee for approval.

4. A letter stating the educator is fit for the classroom submitted by a licensed healthcare professional 30 days prior to end of suspension for suspension removal.
5. Require Educator to complete the following coursework/readings:
 - a. Title: Healing the Addicted Brain: The Revolutionary, Science-Based Alcohol and Addiction Recovery Program (288p) Author: Harold C. Urschel III, MD ISBN 10: 1402218443 ISBN 13: 978-1402218446
 - b. Title: The Power Paradox: How We Gain and Lose Influence (208p) Author: Dacher Keltner ISBN 10: 0143110292 ISBN 13: 978-0143110293
6. Educator to provide written reflections to the PLSB Ethics Subcommittee on each training to state how she will incorporate the trainings in her professional practices in the future. To be completed within 30 days of the end of the suspension.
7. Require Educator to pay all associated costs.
- g. On October 7, 2022, Educator Ermert, was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Ermert failed to respond to 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.

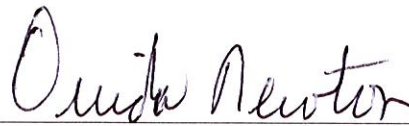
II. Conclusions of Law

- 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 Ermert for her violation of the Code of Ethics.

- b. Educator Ermert is cautioned that her non-payment of the assessed fine of \$300 will result in the continued suspension of her license until the fine is paid in full.
- c. Educator Ermert 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 Ermert's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Ouida Newton". The signature is written in a cursive style with a large initial "O".

Ouida Newton, Chair
Arkansas State Board of Education