

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

AMBER DUCH
AUGUST 10, 2023

PLSB CASE NO. 23-104

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on August 10, 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 licensure eligibility of Amber Duch (“Educator Duch”). Based upon Educator Duch’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. Educator Duch was employed under a waiver of licensure approved by the Arkansas Department of Education.
- b. The Ethics Subcommittee received an allegation that Educator Duch 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 April 6, 2023, the Ethics Subcommittee authorized an investigation into allegations that Educator Duch 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 Duch was notified on April 10, 2023, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on July 14, 2023, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standards 1 and 2 in that Educator Duch:
 - Left students unattended.
 - Exhibited inappropriate disposition inclusive of professional and ethical behavior.
 - Violated district, state or federal policies or law.
- f. The Ethics Subcommittee recommended that the State Board take the following actions:
 1. Level 2 Public Notification of ethics violation for 1 year.
 2. Assess a \$200 fine (due within 90 days of the State Board Order).
 3. Require Educator to complete the following coursework/readings:
 - a. Code of Ethics training as provided by the PLSB staff .
 - b. Title: Real Talk About Classroom Management: 50 Best Practices That Work and Show You Believe in Your Students (296p) Author: Serena Pariser ISBN-13: 978-1544317755 ISBN-10: 1544317751.
 - c. Title: The 85% Solution: How Personal Accountability Guarantees Success -- No Nonsense, No Excuses (256p) Author: Linda Galindo ISBN 10: ISBN 13: 9780470500163.
 4. Require Educator to prepare written reflection on each training/book regarding how the educator will improve her professional practices in the future (due within 90 days of the State Board Order); and
 5. Require Educator to pay all associated costs.
- g. On July 15, 2023, Educator Duch was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Duch 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 Duch for her violation of the Code of Ethics.
- b. Educator Duch is cautioned that her non-payment of the assessed fine of \$200 may result in the suspension of her licensure eligibility until the fine is paid in full.
- c. Educator Duch 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 licensure eligibility.
- d. This order shall remain permanently in Educator Duch's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Sarah Moore, Chair
Arkansas State Board of Education