

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:
EDUCATOR DAVID PHILIP SHIPMAN
JANUARY 11, 2024

PLSB CASE NO. #24-070

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on January 11, 2024, 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 David Philip Shipman (“Educator Shipman”). Based upon Educator Shipman’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 Shipman a standard five-year teaching license on January 1, 2023, valid until December 31, 2027.
- b. The Ethics Subcommittee received an allegation that Educator Shipman 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 October 6, 2023, the Ethics Subcommittee authorized an investigation into allegations that Educator Shipman violated *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 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 Shipman was notified on October 9, 2023, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on December 1, 2023, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 2 in that Educator Shipman:
 - 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. Probation of License for 2 years;
 2. Assess a \$250 fine (due within 90 days of the State Board Order);
 3. Require Educator to complete the following coursework/readings:
 - a. Title: Leaders of Learning (248p) Authors: Richard DuFour, Robert J. Marzano ISBN-13: 9781935542667
 - b. Title: The Power Paradox: How We Gain and Lose Influence (208p) Author: Dacher Keltner ISBN 10: 0143110292 ISBN 13: 978-0143110293
 - c. Title: The 85% Solution: How Personal Accountability Guarantees Success -- No Nonsense, No Excuses (256p) Author: Linda Galindo ISBN 10: ISBN 13: 9780470500163


4. Educator to provide written reflections on each book indicating how this information will have a positive impact on administrator's interactions with school personnel and the importance of following district policy (due within 90 days of the state board order); and
 5. Require Educator to pay all associated costs.
- g. On December 1, 2023, Educator Shipman was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Shipman accepted the Ethics Subcommittee's recommendation thereby waiving his right to any further notice, hearing, or any other rights he 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 David Philip Shipman for his violation of the Code of Ethics.
- b. Educator Shipman is cautioned that his non-payment of the assessed fine of \$250 may result in the suspension of his license until the fine is paid in full.

- c. Educator Shipman 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 his license.
- d. This order shall remain permanently in Educator Shipman'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