

# THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
RICHARD DANIEL CLEVINGER  
APRIL 11, 2024**

**PLSB CASE NO. #24-131**

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

At its regular meeting on April 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 Richard Daniel Clevenger (“Educator Clevenger”). Based upon Educator Clevenger’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 Clevenger a standard five-year teaching license on January 1, 2021, valid until December 31, 2025.
- b. The Ethics Subcommittee received an allegation that Educator Clevenger 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 January 5, 2024, the Ethics Subcommittee authorized an investigation into allegations that Educator Clevenger violated *Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom; and 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 Clevenger was notified on January 9, 2024, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on March 1, 2024, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standards 1 and 2 in that Educator Clevenger:
  - Physical contact with a student(s).
  - Inappropriate communication with a student(s).
  - 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) Written Reprimand
  - (2) Assess a \$100.00 fine (due within 90 days of the State Board Order);
  - (3) Require Educator to complete the following coursework/readings:
    - (a) Code of Ethics Training Provided by the PLSB (1.5 Hours)
  - (4) Educator to provide written reflection on how the training will impact the educator's future interactions with students. (due to the PLSB for approval within 90 days of the State Board Order); and
  - (5) Require Educator to pay all associated costs.
- g. On March 1, 2024, Educator Clevenger was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Clevenger 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

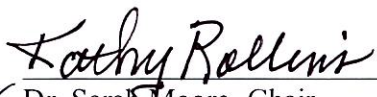
Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

- 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 Richard Clevenger for his violation of the Code of Ethics.
- b. Educator Clevenger is cautioned that his non-payment of the assessed fine of \$100.00 may result in the suspension of his license until the fine is paid in full.
- c. Educator Clevenger 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 Clevenger's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
for \_\_\_\_\_  
Dr. Sarah Moore, Chair  
Arkansas State Board of Education