

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
January 8, 2015

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE SARAH ELIZABETH BAVER, PLSB CASE NO. 15-014

At its regular meeting on January 8, 2015, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Sarah Elizabeth Bayer. Based upon Ms. Bayer's consent to the subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedures 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 Sarah Elizabeth Bayer a standard five-year teaching license on January 1, 2014, valid until December 31, 2018.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Ms. Bayer 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. The subcommittee authorized an investigation into allegations Ms. Bayer violated Standard 8: An educator refrains from using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at school-sponsored activities involving students.
- d. Ms. Bayer was notified on August 6, 2014, of the subcommittee's authorization on August 1, 2014, to investigate this allegation.

- e. After considering the investigator's report and evidence on November 5, 2014, the subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 8 in that Sarah Elizabeth Baver:

Smoked marijuana on campus.

The subcommittee recommended that the State Board place Ms. Baver's license on probation for one (1) year and assess a fine of \$75.

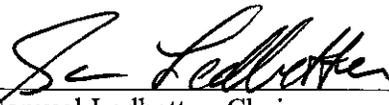
- f. Ms. Baver was notified of the subcommittee's reasonable belief determination and recommendation on November 6, 2014, by certified and regular mail.
- g. Ms. Baver accepted the subcommittee's recommendation on November 12, 2014, thereby waiving her right to any further notice or hearing or any other rights she might 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 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 and pursuant to 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 recommendations of the subcommittee.
- b. Accordingly, the Board orders that Sarah Elizabeth Baver's license be placed on probation for one (1) year and assesses a fine of \$75.

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

IT IS SO ORDERED.



Samuel Ledbetter, Chair
Arkansas State Board of Education