

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE: KATHY GENE GRIFFIN**

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**AGREED ORDER GRANTING WAIVER OF DISQUALIFYING OFFENSE**

At its meeting on July 9, 2015, the Arkansas State Board of Education (“Board”) heard Kathy G. Griffin’s (“Educator Griffin”) request for a waiver of a disqualifying offense for teacher licensing under Ark. Code Ann. § 6-17-410. Educator Griffin was present at the hearing and represented by her attorney, Clayton Blackstock. The Professional Licensure Standards Board (“PLSB”) was present by and through its counsel, Jennifer N. Liwo.

Based upon the testimony and evidence presented, in accordance with the Administrative Procedures Act, Ark. Code Ann. § 25-15-101 et seq., the Board hereby states as follows:

1. Educator Griffin is represented by attorney, Clayton Blackstock.
2. Educator Griffin holds a standard teaching license issued by the Arkansas Department of Education.
3. Educator Griffin’s teaching license was issued on January 1, 2012 and expires on December 31, 2016.
4. On September 24, 2013, Educator Griffin was convicted of violating Ark. Code Ann. § 12-18-201, Failure to Notify by a Mandated Reporter in the First Degree, a class A misdemeanor.
5. Ark. Code Ann. 12-18-201, Failure to Notify by a Mandated Reporter in the First Degree, is a disqualifying offense listed under Ark. Code Ann. § 6-17-410.

6. On August 10, 2012, Educator Griffin agreed to voluntarily surrender her license pending the outcome of her criminal appeal. As such, Educator Griffin's license has been suspended since August 10, 2012.
7. On February 4, 2015, the Arkansas Court of Appeals affirmed Educator Griffin's conviction.
8. On March 5, 2015, the Arkansas Supreme Court denied Educator Griffin's petition for review of the Arkansas Court of Appeals ruling on Educator Griffin's conviction.
9. On March 6, 2015, the Arkansas Supreme Court-Office of the Clerk issued notices concerning the Arkansas Supreme Court's denial.
10. On April 10, 2015, the Professional Licensure Standards Board ("PLSB") informed Educator Griffin of her disqualification and her right to a waiver hearing before the Board.
11. On May 8, 2015, Educator Griffin requested a waiver hearing before the Board.
12. Educator Griffin proposed a settlement with regard to her request for a waiver.
13. Educator Griffin proposed the suspension of her license for a one (1) year period; the one (1) year beginning effectively from July 1, 2015 and ending on June 30, 2016.
14. As Educator Griffin's license has been suspended since August of 2012, the PLSB did not object to Educator Griffin's proposal.
15. The PLSB, by and through its attorney, Jennifer N. Liwo, recommended that the Board grant the waiver and adopt Educator Griffin's proposal.
16. Educator Griffin, by and through her attorney, Clayton Blackstock, consented to the Board ordering the suspension of her license for one (1) year, beginning Jul 1, 2015 and

ending on June 30, 2016, and to the Board's assessment of one-hundred dollar (\$100.00) fine payable within ninety (90) days of the Board's order.

17. The Board may consider certain enumerated offenses as a disqualification for licensing. Ark. Code Ann. §§ 6-17-410(c), 6-17-410(d)(A)(5) and 6-17-411. This includes offenses which have been expunged, sealed, and pardoned by the governor.

18. Any license issued will be conditioned for two (2) years upon Educator Griffin not pleading guilty, nor contendere, or being found guilty of any further disqualifying offenses under Ark. Code Ann. § 6-17-410 as evidenced by a background check at the end of the two-year period, and her adherence to Arkansas Department of Education Code of Ethics for Arkansas Educators.

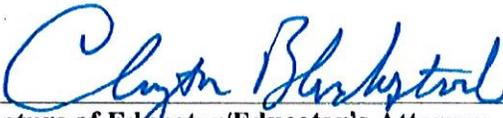
19. The Board considered: (i) Educator Griffin's age at the time of the offense; (ii) the circumstances surrounding the offense; (iii) the length of time since the offense; (iv) Educator Griffin's subsequent work history; (v) Educator Griffin's employment and character references; and (vi) other evidence demonstrating that Educator Griffin does not pose a threat to the health or safety of school children or school personnel.

20. A motion was made to grant Educator Griffin's request for a waiver and proposal on the license suspension period, to assess a one-hundred dollar (\$100.00) fine, and to allow the Department to issue an appropriate license at the end of the one year period of suspension if all other eligibility requirements have been established.

21. The Board's vote in favor was unanimous. The motion carried.

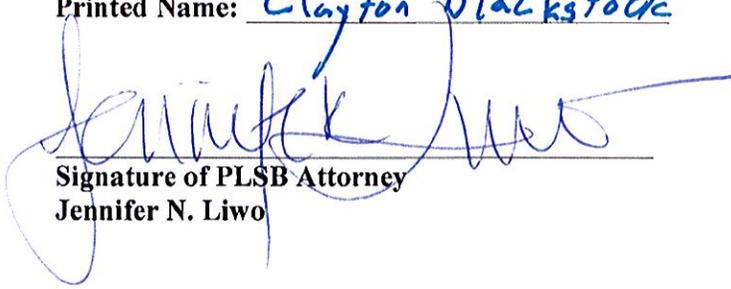
WHEREFORE, upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-410 and 25-15-201 et seq., the Arkansas State Board of Education waives Educator Griffin's disqualifying offense for the purposes of licensing and

employment eligibility. Educator Griffin's license shall be suspended for one (1) year beginning July 1, 2015 and ending June 30, 2016. Educator Griffin shall be required to pay a one-hundred dollar (\$100.00) fine within ninety (90) days of the Board's order.

  
\_\_\_\_\_  
Signature of Educator/Educator's Attorney

7/7/15  
Date

Printed Name: Clayton Blackstock

  
\_\_\_\_\_  
Signature of PLSB Attorney  
Jennifer N. Liwo

7/7/15  
Date

**IT IS SO ORDERED.**

  
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Toyce Newton, Chair  
State Board of Education

June 9, 2015  
Date