

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
May 14, 2015

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
RE: LEON HARRIS JR.

At its meeting on May 14, 2015, the Arkansas State Board of Education (Board) heard Leon Harris Jr.'s request to rescind the board's order in his case dated March 8, 2004. 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. Findings of Fact:

- a. Leon Harris, Jr. held a standard teaching license issued on January 1, 2003, with an expiration date of December 31, 2007. The license was obtained through reciprocity for Mr. Harris' Montana teaching license, which had been issued on August 25, 2003.
- b. In November 2003, the Department was notified that Mr. Harris' Montana license had been rescinded and a provisional license issued in its place.
- c. By letter dated November 20, 2003, the Department notified Mr. Harris that due to the rescission of his Montana license, the Department would seek a revocation of his Arkansas license. In that letter, the Department also advised Mr. Harris that he had the right to a hearing on the matter before the State Board of Education.
- d. At its March 8, 2004, meeting the board heard Mr. Harris' matter. Mr. Harris was present and represented by his attorney, John L. Kearney. The minutes reflect only that a motion was made and seconded to revoke Mr. Harris' license, and that the vote was unanimously in favor.
- e. On April 22, 2015, Mr. Harris, through his attorneys, filed a motion asking the board to rescind that decision on the grounds that he was denied due process in 2004.

- f. On May 15, 2015, the board granted Mr. Harris a hearing on the motion. Mr. Harris attended and was represented by his attorney, Cody Kees.
- g. At the hearing, Mr. Kees said that Montana rescinded Mr. Harris' license due to a procedural error. He further stated that at the meeting of the board on March 8, 2004, neither Mr. Harris nor his attorney were allowed to speak. Therefore, Mr. Harris was denied due process.
- h. Mr. Kees said Mr. Harris now has a standard teaching license in Nevada. He requested that the board rescind the order to revoke the standard license, and allow Mr. Harris to reapply for licensure through reciprocity with Nevada.
- i. The Department recommended the Board rescind the previous decision based on previous Department procedures that would normally have only rescinded his license. As a result of the permanent revocation, Mr. Harris cannot apply for licensure again in Arkansas.
- j. A motion was made and seconded to rescind the revocation of license for Leon Harris, Jr. to allow him to reapply for licensure. The motion carried unanimously.

2. Conclusions of Law:

- a. 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 board rescinds the March 8, 2004, order to revoke Mr. Harris' license and allow Mr. Harris to reapply for an Arkansas teaching license.

IT IS SO ORDERED.



Toyce Newton, Vice-Chair
State Board of Education