

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION**  
**October 8, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**  
**RE: LYNN DEXTER LANG; LICENSE WAIVER REQUEST**

At its meeting on October 8, 2015, the Arkansas State Board of Education (“Board”) heard Lynn Dexter Lang’s (“Mr. Lang”) request for a waiver of a disqualifying offense for a teaching and administrator’s license under Ark. Code Ann. § 6-17-410. 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:

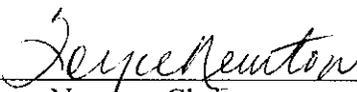
1. Findings of Fact:
  - a. Mr. Lang applied for a standard teaching and administrator’s license.
  - b. Upon conducting a criminal background check required for licensure and employment in a public school, the Department discovered that on February 8, 2005, Mr. Lang was convicted of a disqualifying offense, specifically, Conspiracy to Travel and Utilize Facilities in Interstate Commerce in Aid of Racketeering.
  - c. On April 28, 2015, via letter sent by certified and regular mail, the Department notified Mr. Lang of his disqualification for licensing and employment in a public school. Additionally, the Department notified Mr. Lang of his option to request a waiver from the Board.
  - d. On May 3, 2015, Mr. Lang requested a waiver from the Board.
  - e. On October 8, 2015, Mr. Lang was present at the waiver hearing conducted before the Board.
  - f. At the waiver hearing, the Board considered:
    - i. The educator’s age at the time of the offense;

- ii. The circumstances surrounding the offense;
  - iii. The length of time since the offense;
  - iv. The educator's subsequent work history;
  - v. The educator's employment and character references; and
  - vi. Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.
- g. A motion was made to DENY Mr. Lang's request for a waiver. The Board's vote to deny the waiver was unanimous. The motion carried.

2. Conclusions of Law:

- a. The State Board of Education may consider certain enumerated offenses as a disqualification for licensing. *See* 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.
- b. 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 DENIES Mr. Lang's request to waive his disqualifying offense for the purposes of licensing and employment eligibility.

IT IS SO ORDERED.

  
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Toyce Newton, Chair  
State Board of Education  
Date: 11/12/15