

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
APRIL 9, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE AMBER M. POPULIS, PLSB CASE NO. 13-133**

At its regular meeting on April 9, 2015, the Arkansas State Board of Education (State Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Amber M. Populis. Based upon Ms. Populis' 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 State Board hereby states as follows:

I. Findings of Fact:

- a. The Arkansas Department of Education issued Amber M. Populis an initial teaching license on July 16, 2012, valid until July 16, 2015.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Ms. Populis 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 that Ms. Populis violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. Ms. Populis was notified on April 24, 2013, of the subcommittee's authorization on April 19, 2013, to investigate these allegations.
- e. On January 9, 2015, following the expiration of a Stipulated Agreement extending the statutory timelines, the subcommittee considered the investigator's report and

evidence. The subcommittee also heard testimony from Ms. Populis, and unanimously found that reasonable belief existed to substantiate a violation of Standard 1 in that Amber M. Populis:

- Engaged in sending and receiving inappropriate text messages of a sexual nature with a male student; and
- Engaged in telephone conversations which were sexual in nature with a student, which occurred over a period of approximately three (3) months.

The subcommittee recommended that the State Board place Ms. Populis' license on suspension for five (5) years, assess a fine of \$100, and require that she provide a letter from a licensed psychologist stating that she is healthy enough to return to the classroom.

- f. Ms. Populis was notified of the subcommittee's reasonable belief determination and recommendation on January 13, 2015, by certified and regular mail.
- g. Ms. Populis accepted the subcommittee's recommendation on February 19, 2015, 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 State 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 State Board adopts the recommendations of the subcommittee.

- b. Accordingly, the State Board orders suspension of Amber M. Populis' license for five (5) years, assesses a fine of \$100, and requires that she provide a letter from a licensed psychologist stating that she is healthy enough to return to the classroom.
- c. Ms. Populis is cautioned that further violations of the Code of Ethics or failure to pay the fine within thirty (30) 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. Populis' 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