

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
AUGUST 13, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE DAWN MICHELLE O'NEAL, PLSB CASE NO. 15-091**

At its regular meeting on August 13, 2015, the Arkansas State Board of Education (“Board”) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (“Ethics Subcommittee”) for disciplinary action against the teaching license of Dawn Michelle O’Neal (“Educator O’Neal”). Based upon Educator O’Neal’s failure to respond to the Ethics 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 Educator O’Neal a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator O’Neal violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (“Code of Ethics”) promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On February 6, 2015, the Ethics Subcommittee authorized an investigation into allegations that Educator O’Neal violated Standard 6: An educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures.
- d. On February 9, 2015, Educator O’Neal was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On June 5, 2015, after considering the investigator's report and evidence the Ethics Subcommittee unanimously found that Educator O'Neal violated Standard 6 of the Code of Ethics when she:

- Gave answers/hints to students during agricultural end of course testing.

The Ethics Subcommittee recommended that the Board issue a written reprimand to Educator O'Neal and assess a fine of \$50.00.

f. On June 8, 2015, Educator O'Neal was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. Educator O'Neal did not respond within the accepted period of time to the Ethics Subcommittee's recommendation and did not request a hearing before the Board, thereby waiving her right to any further notice, 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 Ethics 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 Code of Ethics, the Board adopts the Ethics Subcommittee's recommendations.

b. Accordingly, the Board admonishes Educator O'Neal for her violation of the Code of Ethics, issues a written reprimand, and assesses a fine of \$50.00.

- c. Educator O’Neal 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 Educator O’Neal’s professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education