

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
APRIL 14, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE RANDALYN HOPE HARRISON (SUTTERFIELD), PLSB CASE NO. 14-151**

At its regular meeting on April 14, 2016, 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 Randalyn Hope Harrison (Sutterfield) (“Educator Harrison”). Based upon Educator Harrison’s failure to respond to the Ethics Subcommittee’s recommendation and the evidence presented, in accordance with the Administrative Procedure 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 Harrison a standard five-year license on January 1, 2013, valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Harrison 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 May 2, 2014, the Ethics Subcommittee authorized an investigation into allegations that Educator Harrison violated Standards 1, 2, 3, and 4: 1. An educator maintains a professional relationship with each student, both in and outside the classroom. 2. An educator maintains competence regarding his or her professional practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her organizational position. 3. An educator honestly fulfills reporting obligations associated with

professional practices. 4. An educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.

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- d. On May 7, 2014, Educator Harrison was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On May 1, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Harrison violated Standards 1, 2, 3, and 4 when she:
- Showed content to students consisting of video from the Internet that was inappropriate for middle school students, in that it contained a cuss word and brief sexual innuendo were aired;
 - Surfing the Internet during class for approximately one hour, and the material she viewed and showed to students was not appropriate and did not appear to be relevant to her education lesson plans;
 - Failed to meet professional requirements and expectations by not completing legally required special education documentation by required deadlines; and
 - Utilized a school-issued computer to access and demonstrate inappropriate material to students, which had no apparent educational purpose.

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

- f. On May 7, 2015, Educator Harrison, through her attorney, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Neither Educator Harrison, nor her attorney, responded to the recommendation within the required thirty (30) day period, 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. On July 9, 2015, the Board rejected the Ethics Subcommittee's recommendation.
- i. On July 10, 2015, the Ethics Subcommittee recommended the original findings and sanction recommendation be maintained.

- j. On August 13, 2015, the Board again rejected the Ethics Subcommittee's recommendation.
- k. On November 13, 2015, the Ethics Subcommittee convened an evidentiary. At the conclusion of the evidentiary hearing, the Ethics Subcommittee upheld the original findings and sanction of a written reprimand and a fine of \$50.00.
- l. On February 8, 2016, Educator Harrison, through her attorney, was notified of the Ethics Subcommittee's Evidentiary Hearing reasonable belief determination and recommendation by certified and regular mail.
- m. Neither Educator Harrison, nor her attorney, responded within the required thirty (30) day period.
- n. 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 recommendation.
- b. Accordingly, the Board admonishes Educator Harrison for her violation of the Code of Ethics, issues a written reprimand and assesses a fine of \$50.00.

- c. Educator Harrison 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.
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- d. This order shall remain for two (2) years in Educator Harrison's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education