

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
May 12, 2016

ORDER TO SUSPEND EDUCATOR'S LICENSE DUE TO NON-PAYMENT OF FINE
IN RE MICHELLE DAWN HARPER, PLSB CASE NO. 13-141

At its regular meeting on May 12, 2016, the Arkansas State Board of Education ("Board") considered the matter of Michelle Dawn Harper ("Educator Harper") concerning the non-payment of a fine assessed by Board. Based upon 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:

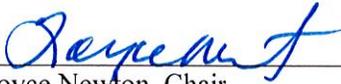
- a. On August 9, 2013, the Professional Licensure Standards Board ("PLSB")-Ethics Subcommittee ("Ethics Subcommittee") unanimously found reasonable belief that Educator Harper violated Standard 7 of the Code of Ethics for Arkansas Educators. Additionally, the Ethics Subcommittee recommended that the Board:
 - i. Suspended Educator Harper's license for two (2) years;
 - ii. Assess a one-hundred dollar (\$100) fine;
 - iii. Condition the reinstatement of Educator Harper's license on the release (or statement) from a licensed counselor, psychologist, psychiatrist, or clinical social worker, whose practice of specialization is in drug and alcohol treatment, stating that Educator Harper successfully completed rehabilitative treatment and that her presence will not pose a safety threat to students; and
 - iv. Require all associated costs to be paid by Educator Harper.
- b. On November 4, 2013, the Board entered its Findings of Fact, Conclusions of Law and Order ("Order") in which it adopted the Ethics Subcommittee's findings and recommended sanctions, and ordered Educator Harper's compliance with same.
- c. In its Order, the Board directed Educator Harper to pay the assessed one-hundred dollar (\$100) fine within thirty (30) days.
- d. On November 4, 2013, the PLSB office mailed Educator Harper the Board's Order via certified and regular mail.
- e. On May 20, 2014, the PLSB office mailed Educator Harper a second request for payment of the assessed fine ordered by the Board.

- f. All mailed collection requests were sent to Educator Harper's last known address of record.
- g. To date, Educator Harper has not responded to the PLSB's collection attempts and has not submitted payment of the assessed fine.

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 Board unanimously voted to suspend Educator Harper's license until payment of the assessed one-hundred dollar (\$100) fine is received by the Arkansas Department of Education's PLSB office.
- b. Furthermore, Educator Harper's license shall be reflected as suspended on the Arkansas Department of Education's public website for licensure until payment of the assessed one-hundred dollar (\$100) fine is received by the Arkansas Department of Education's PLSB office.
- c. This order does not dismiss or otherwise remove the requirement that Educator Harper comply with all other sanctions imposed by the Board in its November 4, 2013 Order.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education