

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
November 12, 2015

RE: BRUCE A. MADDOX; LICENSURE WAIVER REQUEST

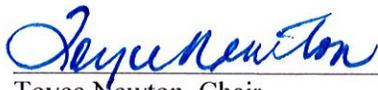
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its meeting on November 12, 2015, the Arkansas State Board of Education (“Board”) heard Bruce A. Maddox’s (“Educator Maddox”) request for a waiver of a disqualifying offense for teacher licensing 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. Educator Maddox holds a standard teaching license and applied for the renewal of that license.
 - b. Educator Maddox is represented by counsel, Greg Alagood.
 - c. In the course of the criminal background check for renewing a license the Department discovered that, in 2001, Educator Maddox was convicted of Possession of Controlled Substance-(Felony) in Colorado.
 - d. On August 26, 2015, the Department notified Educator Maddox of the disqualification.
 - e. On August 31, 2015, Educator Maddox, through his attorney, requested a waiver from the Board.
 - f. On November 12, 2015, Educator Maddox and his attorney were present at the waiver hearing conducted before the Board.
 - g. 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.
- h. A motion was made to grant Educator Maddox's request for a waiver, thereby allowing the Department to issue an appropriate license if all other eligibility requirements have been established.
- i. The Board's vote in favor 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 waives Educator Maddox's disqualifying offense for the purposes of licensure and employment eligibility. If Educator Maddox otherwise meets the requirements for licensing, the Department may issue him a license.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education