

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
November 12, 2015

RE: MELANIE J. WILLIAMS; 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 Melanie J. William’ (“Educator Williams”) 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 Williams holds a standard teaching license.
 - b. Educator Williams is represented by counsel, Steve Smith.
 - c. On or about August 17, 2015, the Department was notified that Educator Williams’ name had been placed on the Child Maltreatment Registry based on a true finding for Inadequate Supervision.
 - d. On August 19, 2015, the Department notified Educator Williams of her disqualification from licensure and employment in an Arkansas public school.
 - e. On August 31, 2015, Educator Williams requested a waiver from the Board.
 - f. On November 12, 2015, Educator Williams and her attorney failed to appear 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 deny Educator Williams' request for a waiver, thereby prohibiting the Department from issuing a license to Educator Williams, and precluding her employment in an Arkansas public school.
- i. The Board's vote to deny Educator Williams' request for a waiver 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 denies Educator Williams' request for a waiver of her disqualifying offense for the purposes of licensure and employment eligibility. Educator Williams is disqualified from licensure and employment in an Arkansas public school.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education