

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
FEBRUARY 11, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE MELINDA LEA FRIZZELL, PLSB CASE NO. 16-030**

At its regular meeting on February 11, 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 Melinda Lea Frizzell (“Educator Frizzell”). Based upon Educator Frizzell’s consent 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 Frizzell a standard five-year teaching license on January 1, 2014, valid until December 31, 2018.
- b. The Ethics Subcommittee received an allegation that Educator Frizzell 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 October 2, 2015, the Ethics Subcommittee authorized an investigation into the allegation that Educator Frizzell violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On October 6, 2015, Educator Frizzell was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On December 4, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Frizzell violated Standard 1 when she:

- made racial comments/jokes in the presence of one or more students, or otherwise inappropriately communicated with one or more students.

The Ethics Subcommittee recommended that the Board place Educator Frizzell's license on probation for two (2) years, assess a \$75.00 fine, require that she complete diversity training (Course SOE14002 – Social Studies in Action: Exploring Unity and Diversity) through ArkansasIDEAS, and submit a written reflection on how the training will impact her leadership in the classroom. The training and written reflection requirements must be completed within sixty (60) days of the State Board of Education's final order, with all associated costs paid by Educator Frizzell.

f. On December 14, 2015, Educator Frizzell, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. On December 28, 2015, Educator Frizzell, accepted the Ethics Subcommittee's recommendation, 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.

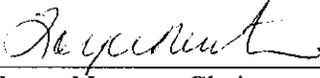
h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

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 recommendation.

- b. Accordingly, the Board admonishes Educator Frizzell for her violation of the Code of Ethics, orders probation of her license for two (2) years, assesses a \$75.00 fine, requires that she complete diversity training (Course SOE14002 – Social Studies in Action: Exploring Unity and Diversity) through ArkansasIDEAS, and submit a written reflection on how the training will impact her leadership in the classroom. The training and written reflection requirements must be completed within sixty (60) days of the State Board of Education’s final order, with all associated costs paid by Educator Frizzell.
- c. Educator Frizzell 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 Frizzell’s professional licensure file and in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education