

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:
SHIRLEY MAE PFLEGER
DECEMBER 12, 2024

PLSB CASE NO. 24-081

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on December 12, 2024, the Arkansas State Board of Education (“Board”) accepted the recommendation of the Professional Licensure Standards Board Ethics Hearing Subcommittee (“Ethics Hearing Subcommittee”) for disciplinary action against the teaching license of Shirley Mae Pflieger (“Educator Pflieger”). Based upon Educator Pflieger’s failure to respond to the Ethics Hearing 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 Pflieger a Lifetime teaching license on January 1, 2018.
- b. The Ethics Subcommittee received an allegation that Educator Pflieger violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. On October 6, 2023, the Ethics Subcommittee authorized an investigation into allegations that Educator Pflieger violated *Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom; Standard 2: an educator maintains competence regarding his or her professional practice, inclusive of professional and ethical behavior, skills, knowledge, dispositions, and responsibilities relating to his or her organizational position; and*

Standard 3: an educator honestly fulfills reporting obligations associated with professional practices.

- d. Educator Pflieger was notified on October 9, 2023, of the Ethics Subcommittee's authorization to investigate the initial allegations.
- e. After considering the investigator's report and evidence on February 2, 2024, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standards 1, 2, and 3 of the Code of Ethics. Educator Pflieger rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- f. On October 23, 2024, Educator Pflieger and her attorney appeared for her evidentiary hearing before the Hearing Subcommittee. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing, the Hearing Subcommittee found that a preponderance of evidence existed to substantiate violation of Standards 1, 2, and 3 in that Educator Pflieger:
 - Inappropriate interactions with student(s).
 - Exhibited inappropriate disposition inclusive of professional and ethical behavior.
 - Violated district, state or federal policies or law.
 - Failed to report.
- g. The Hearing Subcommittee recommended that the State Board take the following actions:
 1. Probation of License for 2 years;
 2. Assess a \$500.00 fine (due within 90 days of State Board Order);
 3. Require Educator to complete the following coursework/readings:
 - a. Code of Ethics Training Provided by the PLSB (1.5 Hours).
 - b. Title: Classroom Management for Elementary Teachers: 15 Strategies to Manage Challenging Behaviors and Create a

Responsive Classroom Author: Freya Fan ISBN-13:979-8461993252

- c. Title: I Notice: A Step-by-Step Guide to Transform Student Potential Through Building Intentional Relationships Author: Claire E. Hallinan ISBN-10: 1733035613 ISBN-13: 978-1733035613
- d. HWB17118 Act 1236 of 2011: Child Maltreatment (2017) (2 Credit Hours)
- e. Title: The 85% Solution: How Personal Accountability Guarantees Success -- No Nonsense, No Excuses (256p) Author: Linda Galindo ISBN 10: ISBN 13: 9780470500163
- f. SPC17010 Foundations in Special Education: Roles and Responsibilities (1 Credit Hour)

- 4. Written reflection on how each training/book will impact the educator's future interactions with students and supervision of paraprofessionals due to the PLSB for approval by February 1, 2025;
- 5. While on probation, educator's supervisor shall provide quarterly reports on the educator's interactions with students, classroom management, and supervision of paraprofessionals; and
- 6. Require Educator to pay all associated costs.

- h. On October 29, 2024, Educator Pfleger's attorney was notified of the Hearing Subcommittee's final determination and recommendation by secure email. Educator Pfleger did not respond to the Hearing Subcommittee's recommendation thereby waiving her right to any further notice, hearing, or any other rights she may have

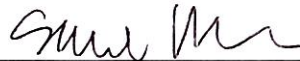
under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

- i. At today's meeting, the Ethics Hearing 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, 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 adopts the Ethics Hearing Subcommittee's recommendations and enacts the sanctions accordingly. The Board admonishes Educator Shirley Pflieger for her violation of the Code of Ethics.
- b. Educator Pflieger is cautioned that her non-payment of the assessed fine of \$500.00 may result in the suspension of her license until the fine is paid in full.
- c. Educator Pflieger 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 Pflieger's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Sarah Moore, Chair
Arkansas State Board of Education