

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

In the Matter of Samuel Whitehead
Case # 2025-06

CONSENT ORDER

The Arkansas State Board of Licensure for Professional Engineers & Professional Surveyors ("Board") and Samuel Whitehead ("Respondent") acknowledge the existence of controversy regarding whether Respondent has violated the Board's statutes and/or rules. The parties desire to avoid the uncertainties and costs of disputed and protracted administrative adjudication and litigation and enter into a Consent Order to resolve the pending controversy.

Respondent hereby represents and agrees:

- A. Respondent, having read the proposed Consent Order, acknowledges that he has the right to consult with counsel and approves this Consent Order on his own volition and without any reliance upon any representations by the Board or any officer, employee, agent or other representative thereof, other than as expressly set forth herein.
- B. Upon entry of this Consent Order, Respondent hereby waives any further procedural steps including, without limitation, the right to a hearing and all rights to seek judicial review or to otherwise challenge or contest the validity of this Consent Order.
- C. Respondent acknowledges that this agreement is subject to approval by the Board.

- D. Furthermore, Respondent agrees that should this Consent Order not be approved by the Board, the presentation and consideration of this Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members or Respondent from further participation, consideration, or resolution of the matters involved herein at any subsequent hearing.
- E. Respondent and the Board expressly acknowledge that this is an attempt to settle and resolve disputed claims and, should the Board decline to approve the Consent Order, neither Respondent nor the Board will have been deemed to waive any and all claims, rights or causes of action that either may have.
- F. Respondent understands and agrees that approval and entry of this Consent Order shall not preclude additional proceedings by the Board against Respondent for acts or omissions not specifically addressed herein.
- G. Respondent understands and acknowledges that this Consent Order and the Board's records concerning this matter are public records and available to the public pursuant to the Freedom of Information Act, Ark. Code Ann. §§ 25-19-101, et seq.
- H. This agreement shall not become a valid and enforceable order of this Board unless and until accepted and approved by the Board at an official meeting and executed by the Board's President or the President's designee.

FINDINGS OF FACT

1. Respondent is licensed by this Board as a Professional Surveyor, license number PS1416.

2. On or about March 14, 2025, Heather Richardson, the Director for the Board, filed a complaint against Respondent. Heather Richardson's Complaint was based on audit of the Respondent's continuing education credits.
3. On or about January 31, 2025, the Board sent a letter to Respondent informing him the Board was auditing his continuing education credits for his July 2022-June 2024 Professional Surveyor license renewal according to 17 CAR §285-1009.
4. On or about February 24, 2025, Respondent informed the Board that he did not have the continuing education credits required for July 2022-June 2024.

CONCLUSIONS OF LAW

1. Respondent's actions as described in the Findings of Fact section constitutes a violation of 17 CAR §285-1006, 17 CAR §285-1009 of the Rules of the Board as well as a violation of Arkansas Code Annotated §§ 17-30-307(b)(1).

ORDER

For the violation described above, the Respondent is:

(1) Fined a civil penalty of \$500 to be paid within thirty (30) days of service of this Order, and

(2) Ordered to complete thirty (30) hours of continuing education courses including at least two (2) hours of Arkansas Standards of Practice No.1.

The continuing education courses are to be completed within ninety (90) days of entry of this Order. The thirty (30) hours of continuing education courses do not count toward Respondent's annual continuing education

5/13/2025

Date



Heather Richardson, Director
Arkansas State Board of Licensure
for Professional Engineers &
Professional Surveyors

5/19/2025

Date



Samuel Whitehead P.S. 1416
Respondent