

# THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
JAMIE GAY CARTER  
DECEMBER 12, 2019**

**PLSB CASE NO. 19-083**

## **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

At its regular meeting on December 12, 2019, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Hearing Subcommittee (Hearing Subcommittee) for disciplinary action against the teaching license of Jamie Gay Carter (Educator Carter). Based upon Educator Carter's acceptance of the 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 Carter a standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) received an allegation that Educator Carter 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 December 7, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Carter violated Standard 1: an educator maintains a professional relationship with each student, both in and outside the classroom; and Standard 2: an educator maintains competence regarding his or her professional

practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her organizational position.

- d. Educator Carter was notified on December 10, 2018, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on July 1, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 1 and 2 of the Code of Ethics. Educator Carter rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- f. On September 20, 2019, Educator Carter 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 Standard 1 and 2 in that Educator Carter:
  - Inappropriate physical contact with a student.
  - Inappropriate disposition inclusive of professional and ethical behavior.
- g. The Hearing Subcommittee recommended that the State Board take the following actions:
  1. Probation of license for 2 years;
  2. Assess a \$250 fine (due within 90 days of State Board Order);
  3. Require Educator to complete the following coursework/readings:
    - (i) ERC18064: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2017)
    - (ii) Title: Taking Charge of Anger, Second Edition: Six Steps to Asserting Yourself without Losing Control (289p); Author: W.

Robert Nay, PhD.: ISBN 10: 1462502423; ISBN 13: 978-1462502424

- (iii) SPB14008 Behavior is Communication; Credit Hours: 1.5
- (iv) PIA14006 Guiding Children Successfully, Episode 1: Effective Motivation for Children; Credit Hours: 1

- 4. Require Educator to prepare written reflections for each training: that explains how training will impact educator's interactions with students (due within 30 days of the suspension end); and
  - 5. And require Educator to pay all associated costs.
- h. On September 30, 2019, Educator Carter attorney was notified of the Hearing Subcommittee's final determination and recommendation by certified mail. Educator Carter accepted 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 Hearing Subcommittee's recommendation and supporting documentation were presented to the Board as part of its Action 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 Hearing Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Jamie Gay Carter for her violation of the Code of Ethics.
- b. Educator Carter is cautioned that her non-payment of the assessed fine of \$250 may result in the suspension of her license until the fine is paid in full.

- c. Educator Carter is cautioned that further violations of the Code of Ethics may result in more severe discipline including permanent revocation of her license.
- d. This order shall remain permanently in Educator Carter's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
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Diane Zook, Chair  
Arkansas State Board of Education