

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:
MELANIE LYNN HOTCHKISS (WATSON)
SEPTEMBER 12, 2019

PLSB CASE NO. 19-116

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on September 12, 2019, 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 Melanie Lynn Hotchkiss (Watson) (Educator Hotchkiss). Based upon Educator Hotchkiss's failure to respond to the Ethics Subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedures 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 Hotchkiss a standard five-year teaching license on January 1, 2016, valid until December 31, 2020.
- b. The Ethics Subcommittee received an allegation that Educator Hotchkiss 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 March 1, 2019, the Ethics Subcommittee authorized an investigation into allegations that Educator Hotchkiss 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 professional and ethical behavior, skills, knowledge, dispositions, and responsibilities relating to his or her organizational position.

d. Educator Hotchkiss was notified on March 4, 2019, 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 in that Educator Hotchkiss:

- Engaged in inappropriate use of social media.
- Inappropriate disposition inclusive of professional and ethical behavior.
- Inappropriate communication with general public via social media.

f. The Ethics Subcommittee recommended that the State Board take the following actions:

1. Written Reprimand;
2. Assess a \$100 fine (due within 30 days of the suspension end date);
3. Require Educator to complete the following coursework/readings:
 - ERC19048: Professional Licensure Standards Board (PLSB); The Code of Ethics Training Video (2018); Credit Hours: 1
 - Title: Culturally Responsive Teaching: Theory, Research and Practice (384p); Author: Geneva Gay; ISBN 10: 0807758760; ISBN 13: 978-0807758762
 - TCC14435: Professional Licensure Standards Board (PLSB): Social Media Guidelines; Credit Hours: 3
4. Require Educator to prepare written reflection: that explains how trainings and readings will influence her interactions with students and community members (due within 90 days of the State Board Order); and
5. Require Educator to pay all associated costs.

- g. On July 8, 2019, Educator Hotchkiss, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. Educator Hotchkiss failed to respond to the Ethics 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.
- 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, 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 Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Melanie Lynne Hotchkiss for her violation of the Code of Ethics.
- b. Educator Hotchkiss is cautioned that her non-payment of the assessed fine of \$100 will result in the continued suspension of her license until the fine is paid in full.
- c. Educator Hotchkiss 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 Hotchkiss' professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Diane Zook, Chair
Arkansas State Board of Education