

# THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:  
MICAH L. QUALLS  
APRIL 11, 2019**

**PLSB CASE NO. 18-160**

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

At its regular meeting on April 11, 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 Micah L. Qualls (Educator Qualls). Based upon Educator Qualls' acceptance of 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 Qualls a standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Ethics Subcommittee received an allegation that Educator Qualls 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 June 1, 2018, the Ethics Subcommittee authorized an investigation into allegations that Educator Qualls violated Standard 1: an educator maintains a professional relationship with each student, both in and outside of 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 Qualls was notified on June 5, 2018, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on January 4, 2019, the Ethics Subcommittee found that a preponderance of evidence existed to substantiate violations of Standards 1 and 2 in that Educator Qualls:

- Made inappropriate comments to parents in front of students
- Made inappropriate comments on social media
- Incited a public disturbance

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

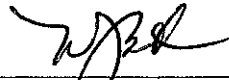
1. Probation of license for 1 year;
2. Assess a \$200 fine (due within 90 days of State Board Order);
3. Require Educator to complete the following coursework/readings:
  - Title: The 85% Solution: How Personal Accountability Guarantees Success -- No Nonsense, No Excuses (256p); Author: Linda Galindo; ISBN 13: 9780470500163
  - Title: The Tactful Teacher: Effective Communication with Parents, Colleagues, and Administrators (128p); Author: Yvonne Bender; ISBN-10: 0974934437; ISBN-13: 978-0974934433
  - ERC18064: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2017)
  - TCC14435: Professional Licensure Standards Board (PLSB): Social Media Guidelines
  - Don't Blame the Lettuce Webinar;  
<https://www.solutiontree.com/webinars/dont-blame-the-lettuce-webinar.html>
4. Require Educator to pay all associated costs.

- g. On January 8, 2019, Educator Qualls, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. Educator Qualls accepted 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 Qualls for her violation of the Code of Ethics.
- b. Educator Qualls is cautioned that her non-payment of the assessed fine of \$200 may result in the suspension of her license until the fine is paid in full.
- c. Educator Qualls 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 Qualls professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



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Dr. Jay Barth, Chair  
Arkansas State Board of Education