

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
CRISTY MACHELLE CATHEY
OCTOBER 11, 2018**

PLSB CASE NO. 18-024

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on October 11, 2018, 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 Cristy Machelles Cathey (Educator Cathey). Based upon Educator Cathey's 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 Cathey a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Cathey violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (Code of Ethics) promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On July 10, 2017, the Ethics Subcommittee authorized an investigation into allegations that Educator Cathey 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. On July 13, 2017, Educator Cathey was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On March 2, 2018, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found preponderance of evidence that Educator Cathey violated Standards 1 and 2 of the Code of Ethics when she made an inappropriate/disparaging remark(s) on Facebook concerning a student who was easily identified due to the educator being "friends" with student(s), educators, parents, and community member.

The Ethics Subcommittee recommended that the Board:

- Issue a written reprimand;
 - Assess a \$50 fine to be paid within ninety (90) days of the State Board's final order;
 - Require her to complete training through the ArkansasIDEAS online portal taking *Course TCC 14435: Professional Licensure Standards Board (PLSB): Social Media Guidelines* (3 hours);
 - Require her to submit a written reflection that explains 1) how the behavior violated the Code of Ethics, 2) the impact of educator's conduct on students, the community, and the education profession, 3) how educator's conduct compromised educator's ability to be effective in the classroom, and 4) how the educator will ensure conduct does not reoccur. The written statement must be submitted within ninety (90) days of the State Board's final order; and
 - All costs will be paid by Educator Cathey.
- f. On March 6, 2018, Educator Cathey was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

- g. On August 15, 2018, Educator Cathey accepted the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice, hearing, or any other rights she might 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 Cathey for her violation of the Code of Ethics.
- b. Educator Cathey 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.

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education