

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF:  
CA'LYN JOSEPH ZACHARY  
JANUARY 11, 2018**

**PLSB CASE NOS. 17-025,  
17-026 & 17-037**

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

At its regular meeting on January 11, 2018, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee for disciplinary action against the teaching license of Ca'Lyn Joseph Zachary (Educator Zachary). Based upon Educator Zachary's acceptance of the 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 Ca'Lyn Joseph Zachary a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Professional Licensure Standards Board Ethics Subcommittee received an allegation that Educator Zachary 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 July 11, 2016, the Subcommittee authorized an investigation into allegations that Educator Zachary violated Standard 1: An educator maintains a professional relationship with each student, both in and outside of the classroom.
- d. Educator Zachary was notified on July 22, 2016, of the subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on February 6, 2017, the subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 1 in that Educator Zachary:

- Inappropriately communicated with a student via text messaging;
- Inappropriately disclosed information about his personal life to a student;
- Without authorization, spent time with a student in a vehicle;
- Inappropriately spent time with a student on school grounds;
- Allowed one or more students to sit on his lap;
- Kicked a student's bottom or had similar inappropriate contact with the student; and
- Told a student that her bottom "felt a little jiggly" or similar.

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

- (i) Place license on probation for two (2) years;
- (ii) Assess a \$75 fine to be paid within ninety (90) days of the SBOE final order;
- (iii) Require Educator to complete training through the ArkansasIDEAS online portal taking Course IAD14492: *Classroom Management: Building Effective Relationships, 2<sup>nd</sup> Edition* (11 hours); and Course TCC 14435: *Professional Licensure Standards Board (PLSB) Social Media Guidelines* (3 hours); all

- training to be completed within sixty (60) days following the Board's final order; this training will be in addition to any training required by the ADE or school district;
- (iv) Require Educator to write a reflection statement on each training to be submitted to the PLSB office within sixty (60) days following the Board's final order; and
  - (v) Require that all associated costs be paid by Educator.
- g. On February 8, 2017, Educator Zachary was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail. On March 3, 2017, Educator Zachary rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- h. On September 13, 2017, Educator Zachary withdrew his request for a hearing and accepted the Ethics Subcommittee's recommendation, thereby waiving his right to any further notice, hearing, or any other rights he 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 subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

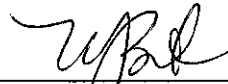
## **II. Conclusions of Law**

- 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 Zachary for his violation of the Code of Ethics.

- b. Educator Zachary is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of his license.
- c. This order shall remain permanently in Educator Zachary's 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