

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
DAMICCAH S. DARTON (ROBERTSON)
NOVEMBER 9, 2017**

PLSB CASE NO. 17-198

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

At its regular meeting on November 9, 2017, 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 Damiccah Shauntae Darton (Robertson) (Educator Darton). Based upon Educator Darton'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 Darton a standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Ethics Subcommittee received an allegation that Educator Darton 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 May 5, 2017, the Ethics Subcommittee authorized an investigation into the allegation that Educator Darton violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom; 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; and Standard 7: An educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations.
- d. On May 9, 2017, Educator Darton was notified of the Ethics Subcommittee's authorization to investigate the allegation.
- e. On September 1, 2017, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Darton violated Standards 1, 2, and 7 when she "cyberbullied" and engaged in conversation/argument with a parent(s) on Facebook about the behavior of children in her class and/or school, and pointed out to one parent that their six (6) year old child was one of the students who misbehaved.

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

- (i) Issue a written warning;
- (ii) Require Educator Darton to complete *Course TCC 14435: Professional Licensure Standards Board (PLSB) – Social Media Guidelines* (3 hours);
- (iii) Provide a written reflection statement to the PLSB Office (within ninety (90) days of the Board's final order) indicating how social media should impact the educator's interactions with community members, specifically as an educator; and
- (iv) All costs will be paid by Educator Darton.

g. On September 6, 2017, Educator Darton was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

h. Educator Darton did not respond to the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice, hearing, and 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.

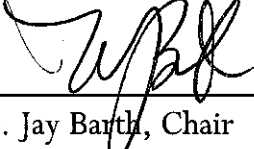
II. Conclusions of Law

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 Darton for her violation of the Code of Ethics.

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

IT IS SO ORDERED.



Dr. Jay Barth, Chair
Arkansas State Board of Education