

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
FEBRUARY 9, 2017**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE STEPHEN EDWARD HARSHAW, PLSB CASE NO. 17-009**

At its regular meeting on February 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 Stephen Edward Harshaw (“Educator Harshaw”). Based upon Educator Harshaw’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 Harshaw a standard five-year teaching license effective January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Harshaw 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 11, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Harshaw violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On July 21, 2016, Educator Harshaw was notified of the Ethics Subcommittee’s authorization to investigate the allegations.

- e. On November 7, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that Educator Harshaw violated Standard 1 of the Code of Ethics when he:

Stated "Yeah, on your momma's titties last night," or similar to a student.

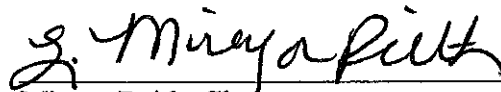
The Ethics Subcommittee recommends that the Board issue a written reprimand to Educator Harshaw; assess a \$50.00 fine; and require him to complete training on the following courses through the ArkansasIDEAS online portal: Course IAD14491 *Classroom Management: Managing Challenging Behavior* (2 hours); and Course IAD14492 *Classroom Management: Building Effective Relationships, 2nd Edition* (11 hours); and provide a written reflection to the PLSB office addressing how each training will impact his teaching and classroom management. All training and written reflections are to be completed within thirty (30) days of the Board order. All costs to be paid by the educator.

- f. On November 16, 2016, Educator Harshaw was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. Educator Harshaw did not respond to the recommendation and he did not request a hearing thereby waiving his right to any further notice or hearing or any other rights he 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 and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Code of Ethics, the Board adopts the recommendations of the Ethics Subcommittee.
- b. Accordingly, the Board admonishes Educator Harshaw for his violation of the Code of Ethics; issues a written reprimand; assesses a \$50.00 fine; requires him to complete training on the following courses through the ArkansasIDEAS online portal: Course IAD14491 *Classroom Management: Managing Challenging Behavior* (2 hours); and Course IAD14492 *Classroom Management: Building Effective Relationships, 2nd Edition* (11 hours); and provide a written reflection to the PLSB office addressing how each training will impact his teaching and classroom management. All training and written reflections are to be completed within thirty (30) days of the Board order. All costs to be paid by the educator.
- c. Educator Harshaw is cautioned that further violations of the Code of Ethics from the date of this order or failure to pay the fine within ninety (90) days of the date of this order may result in more severe discipline including permanent revocation of his license.
- d. This order shall remain in Educator Harshaw's professional licensure file for two years and permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Mireya Reith". The signature is written in a cursive style with a horizontal line underneath it.

Mireya Reith, Chair
Arkansas State Board of Education