

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION  
JANUARY 12, 2017**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER  
IN RE MARY LORENE HORTON, PLSB CASE NO. 16-096**

At its regular meeting on January 12, 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 Mary Lorene Horton (“Educator Horton”). Based upon Educator Horton’s acceptance of the Ethics Subcommittee’s recommendation and the evidence presented, in accordance with the Administrative Procedure 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 Horton a standard five-year license on August 1, 2012, valid until December 31, 2016.
- b. The Ethics Subcommittee received an allegation that Educator Horton 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 February 5, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Horton violated Standards 1, 2, and 8: 1. An educator maintains a professional relationship with each student, both in and outside the classroom. 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. 8. An educator refrains from using, possessing and/or being under the influence

of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at school-sponsored activities involving students.

- d. On February 11, 2016, Educator Horton was notified of the Ethics Subcommittee's authorization to investigate the allegations.
- e. On July 11, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Horton violated Standards 1 and 2 when she:

- Used, possessed, or was under the influence of alcohol in the presence of a student(s);
- Told a student, "[N]ow I see why \_\_\_\_\_ liked you," or otherwise inappropriately communicated with a student;
- Slapped a student's buttocks or otherwise had inappropriate physical contact with a student; and
- As a mandated reporter, did not call the Child Abuse Hotline to report the possible sexual abuse/abuse of a student.

The Ethics Subcommittee recommended that the Board issue Educator Horton a written reprimand; assess a fine of \$50.00; require her to complete training through the ArkansasIDEAS online portal, specifically, ERC15037 *Recognizing and Reporting Child Abuse: Training for Arkansas Reporters*; require her to provide a written reflection to the PLSB office on how the training will impact her future actions as a professional educator and mandated reporter; and require the training and written reflection to be completed within sixty (60) days of the Board's final order. All associated costs paid by Educator Horton.

- f. On July 19, 2016, Educator Horton was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

- g. On August 16, 2016, Educator Horton 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. On October 13, 2016, the final order was presented to the Board for approval.
- i. The Board returned the case to the Ethics Subcommittee asking that it review the recommendation to determine whether additional training would benefit the educator.
- j. On November 7, 2016, the Ethics Subcommittee recommended adding the following training requirement to its original reasonable belief recommendation: require Educator Horton to complete additional training, specifically, Course IAD14492 *Classroom Management: Building Effective Relationships, 2<sup>nd</sup> Edition* (11 hours) through the ArkansasIDEAS online portal.
- k. Educator Horton accepted the additional training requirement recommendation on November 29, 2016.
- l. At today's meeting, the Ethics Subcommittee's recommendations 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 Ethics Subcommittee's recommendations.
- b. Accordingly, the Board admonishes Educator Horton for her violation of the Code of Ethics; issues a written reprimand; assesses a fine of \$50.00; requires her to complete

training through the ArkansasIDEAS online portal, specifically, ERC15037 *Recognizing and Reporting Child Abuse: Training for Arkansas Reporters*; and

- c. Complete training through the ArkansasIDEAS online portal, specifically, course IAD14492 *Classroom Management: Building Effective Relationships, 2<sup>nd</sup> Edition* and provide a written reflection to the PLSB office on how the trainings will impact her future interactions with students. The written reflections are to be completed within sixty (60) days of the Board's final order. All associated costs paid by Educator Horton.
- d. Educator Horton 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.
- e. This order shall remain for two (2) years in Educator Horton's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
Mireya Reith, Chair  
Arkansas State Board of Education