BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
DECEMBER 8, 2016

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE TOYA MARIE GRAVES, PLSB CASE NO. 16-139

At its regular meeting on December 8, 2016, 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 Toya Marie Graves ("Educator Graves"). Based upon Educator Graves' failure to accept 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 Graves a standard five-year teaching license on January 1, 2012, valid until December 31, 2016.

b. The Ethics Subcommittee received an allegation that Educator Graves 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 6, 2016, the Ethics Subcommittee authorized an investigation into the allegation that Educator Graves violated Standards 1: An educator maintains a professional relationship with each student, both in and outside the classroom.

d. On May 16, 2016, Educator Graves was notified of the Ethics Subcommittee's authorization to investigate the allegation.

e. On October 7, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Graves violated Standard 1 of the Code of Ethics when she:

- Told a student he was a "fucking retard" or similar.
- Told a student his "mom was on crack when she had him" and/or "must have dropped him on his head" or similar.
- Told a student that his "dad took it up the ass" or similar.

The Ethics Subcommittee recommended that the Board suspend Educator Graves' license for one (1) year; assess a fine of $100.00; require that she complete training through the ArkansasIDEAS online portal, specifically IAD14492 *Classroom Management: Building Effective Relationships, 2nd Edition*; require that she submit a written reflection to the PLSB office addressing how the training will impact her future interactions with students; require that the training and written reflection be completed by the end of the suspension period; and require Educator Graves to be responsible for all associated costs. The training will be in addition to any training required by the Arkansas Department of Education or the school district.

f. On October 11, 2016, Educator Graves, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. Educator Graves did not respond to the Ethics Subcommittee's recommendations within the required time, 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 recommendations and supporting documentation were presented to the Board as part of its consent agenda.

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 Graves for her violation of the Code of Ethics, orders the suspension of Educator Graves' license for one (1) year; assesses a fine of $100.00; requires that she complete training through the ArkansasIDEAS online portal, specifically IAD14492 *Classroom Management: Building Effective Relationships, 2nd Edition*; requires that she submit a written reflection to the PLSB office addressing how the training will impact her future interactions with students; require that the training and written reflection be completed by the end of the suspension period; and require Educator Graves to be responsible for all associated costs. The training will be in addition to any training required by the Arkansas Department of Education or the school district.

c. Educator Graves is cautioned that her non-payment of the assessed fine of $100.00 will result in the continued suspension of her license until the fine is paid in full.

d. Educator Graves is cautioned that further violations of the Code of Ethics or failure to pay the fine within ninety (90) days may result in more severe discipline, including permanent revocation of her license.

e. This order shall remain permanently in Educator Graves' professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

Mireya Reith, Chair
Arkansas State Board of Education