

THE ARKANSAS STATE BOARD OF EDUCATION

IN RE THE MATTER OF:

CALEB J. SPEARS

AUGUST 10, 2023

PLSB CASE NO. 23-087

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on August 10, 2023, 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 Caleb J. Spears (“Educator Spears”). Based upon Educator Spears’ 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 Spears a standard five-year teaching license on March 4, 2020, valid until December 31, 2024.
- b. The Ethics Subcommittee received an allegation that Educator Spears 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 March 3, 2023, the Ethics Subcommittee authorized an investigation into allegations that Educator Spears 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 professional and ethical behavior, skills, knowledge,*

dispositions, and responsibilities relating to his or her organizational position;
Standard 4: an educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.

Educator Spears was notified on March 6, 2023, of the Ethics Subcommittee's authorization to investigate this allegation.

d. After considering the investigator's report and evidence on July 14, 2023, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violations of Standards 1, 2, and 4 in that Educator Spears:

- Inappropriate communications with student(s).
- Lack of Supervision.
- Exhibited inappropriate disposition inclusive of professional and ethical behavior.
- Violated district, state or federal policies or law.
- Misuse and/or Inappropriate use of school property and/or resources.

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

1. Probation of License for 1 year.
2. Assess a \$200 fine (due within 90 days of the State Board Order);
3. Require Educator to complete the following coursework/readings:
 - a. Code of Ethics as provided by the PLSB staff.
 - b. Title: The 85% Solution: How Personal Accountability Guarantees Success -- No Nonsense, No Excuses (256p) Author: Linda Galindo
ISBN 10: ISBN 13: 9780470500163.
 - c. Title: Flipping the Switch: Unleash the Power of Personal Accountability Using the QBQ! (144 p) Author: John G. Miller
ISBN 10: 0399152334 ISBN 13: 978-0399152337.

4. Educator to provide written reflections on how each of these trainings will impact his interactions with students in the future (due within 90 days of the state board order); and
 5. Require Educator to pay all associated costs.
- f. On July 14, 2023, Educator Spears, was notified of the Ethics Subcommittee's initial determination and recommendation by secure server. Educator Spears 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.
 - g. 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, 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 Caleb J. Spears for his violation of the Code of Ethics.
- b. Educator Spears is cautioned that his non-payment of the assessed fine of \$200 may result in the suspension of his license until the fine is paid in full.
- c. Educator Spears 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 his license.

- d. This order shall remain permanently in Educator Spears professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Dr. Sarah Moore, Chair
Arkansas State Board of Education