

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE MARY JILL DAVIS, PLSB CASE NO. 15-048**

At its regular meeting on June 11, 2015, 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 Jill Davis (“Educator Davis”). Based upon Educator Davis’ consent 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 Davis a standard five-year teaching license on January 1, 2012, valid until December 31, 2016.
- b. The Ethics Subcommittee received an allegation that Educator Davis 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 November 21, 2014, the Ethics Subcommittee authorized an investigation into the allegation that Educator Davis violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On November 24, 2015, Educator Davis was notified of the Ethics Subcommittee’s authorization to investigate the allegation.

e. On March 24, 2015, after considering the investigator's report and evidence the Ethics Subcommittee unanimously found that Educator Davis violated Standard 1 when she:

- Threw a ceramic coffee mug against the floor of the classroom, resulting in at least three (3) students being struck by pieces of the mug.

The Ethics Subcommittee recommended that the Board issue a one (1) year probation and assess a fine of \$75.

f. On March 27, 2015, Educator Davis was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. On April 27, 2015, Educator Davis accepted the Ethics Subcommittee's recommendation, thereby waiving her right to any further notice or 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 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. Accordingly, the Board orders that Educator Davis' license be placed on probation for one (1) year and assesses a fine of \$75.

b. Educator Davis 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.

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

IT IS SO ORDERED.



Samuel Ledbetter, Chair
Arkansas State Board of Education