

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION  
March 12, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER  
IN RE CAROLYN LAVERNE HARSHAW, PLSB CASE NO. 14-086**

At its regular meeting on March 12, 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 Carolyn Laverne Harshaw (“Ms. Harshaw”).

Based upon Ms. 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 Ms. Harshaw a standard five-year teaching license on January 1, 2010, valid until December 31, 2014.
- b. The Ethics Subcommittee received an allegation that Ms. Harshaw 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 February 7, 2014, the Ethics Subcommittee authorized an investigation into the allegation that Ms. Harshaw violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On February 10, 2014, Ms. Harshaw was notified of the Ethics Subcommittee’s authorization to investigate the allegation.

- e. After considering the investigator's report and evidence on June 6, 2014, the Ethics Subcommittee unanimously found reasonable belief that Ms. Harshaw violated Standard 1 by:
  - A. Pulling and tilting a student's chair causing the student to fall on the floor; and
  - B. Pouring pencil shavings on another student's shoulder.
- f. The Ethics Subcommittee recommended that the Board place Ms. Harshaw's license on probation until December 31, 2015 and assess a fine of \$75.
- g. Ms. Harshaw was notified of the Ethics Subcommittee's reasonable belief determination and recommendation on June 11, 2014, by certified and regular mail.
- h. Ms. Harshaw rejected the Ethics Subcommittee's recommendation on June 17, 2014, and requested an evidentiary hearing under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- i. The evidentiary hearing was held on November 5, 2014. The Ethics Subcommittee found, by a preponderance of the evidence, that Ms. Harshaw violated Standard 1 of the Code of Ethics for Arkansas Educators and voted unanimously to uphold its previous recommendation that the Board place Ms. Harshaw's license on probation until December 31 2015 and assess a fine of \$75.
- j. Ms. Harshaw did not respond to the recommendation and did not request a review, thereby waiving her right to any further notice, hearing, or any other rights she might have had under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- k. 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 Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the Ethics Subcommittee's recommendations.
- b. Accordingly, the Board orders that Ms. Harshaw's license be placed on probation until December 31, 2015 and assesses a fine of \$75.
- c. Ms. Harshaw 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 a more severe discipline, including permanent revocation of her license.
- d. This order shall remain permanently in Ms. Harshaw's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
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Samuel Ledbetter, Chair  
Arkansas State Board of Education