

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE DALE CHRISTOPHER HORINE, PLSB CASE NO. 15-118**

At its regular meeting on November 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 Dale Christopher Horine (“Educator Horine”). Based upon Educator Horine’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 Educator Horine a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Horine 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 April 3, 2015, the Ethics Subcommittee authorized an investigation into the allegation that Educator Horine violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On April 13, 2015, Educator Horine was notified of the Ethics Subcommittee’s authorization to investigate the allegation.

e. On August 7, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Horine violated Standard 1 of the Code of Ethics when he:

- Allowed student to hug him and caress his beard;
- Allowed three (3) students to leave campus in his car without permission; and
- After being given specific instructions to abstain from contact with students, allowed a student to put his right arm around the educator's neck and right side of his face very close to the educator's face.

The Ethics Subcommittee recommended that the Board issue a written warning.

f. On August 11, 2015, Educator Horine was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. Educator Horine did not respond to the recommendation and he did not request a hearing, thereby waiving his right to any further notice, hearing, or any other rights he 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 of the Ethics Subcommittee's recommendations.

b. Accordingly, the Board admonishes Educator Horine for his violation of the Code of Ethics and issues a written warning.

- c. Educator Horine is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of his license.
- d. This order shall remain for two (2) years in Educator Horine' professional licensure file but will permanently remain in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education