

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE SHERRY SUE BAREFIELD, PLSB CASE NO. 15-125**

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 Sherry Sue Barefield (“Educator Barefield”). Based upon Educator Barefield’s 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 Barefield a standard five-year teaching license on January 1, 2012, valid until December 31, 2016.
- b. The Ethics Subcommittee received an allegation that Educator Barefield 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 Barefield violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On April 13, 2015, Educator Barefield was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

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

- Showed a video to students entitled "Mrs. Brown's Boys Christmas 2014" which contained vulgar language and sexual references.

The Ethics Subcommittee recommended that the Board place Ms. Barefield's license on probation for three (3) years and assess a \$75 fine.

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

g. On September 11, 2015, Educator Barefield accepted the Ethics Subcommittee's recommendation, 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 recommendation and supporting documentation were presented to the Board as part of its consent agenda.

II. Conclusions of Law:

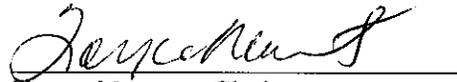
a. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428, and 25-15-201 et seq., and the Code of Ethics, the Board adopts the Ethics Subcommittee's recommendation.

b. Accordingly, the Board admonishes Educator Barefield for her violation of the Code of Ethics, orders probation of her license for three (3) years, and assesses a fine of \$75.

c. Educator Barefield 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.

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

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education