

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER  
IN RE DENAN ELAINE CAGLE, PLSB CASE NO. 15-069**

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 Denan Elaine Cagle (“Educator Cagle”). Based upon Educator Cagle’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 Cagle a standard five-year teaching license on January 1, 2011, valid until December 31, 2015.
- b. The Ethics Subcommittee received an allegation that Educator Cagle 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 January 9, 2015, the Ethics Subcommittee authorized an investigation into the allegation that Educator Cagle violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On January 14, 2015, Educator Cagle was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

- e. On March 24, 2015, the Ethics Subcommittee voted unanimously to open an additional investigation that Educator Cagle violated Standard 1.
- f. On April 1, 2015, Educator Cagle was notified of the Ethics Subcommittee's authorization to investigate additional allegations by certified and regular mail.
- g. On August 7, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Cagle violated Standard 1 when she:
- In a disciplinary discussion with a student, struck the student in the face;
  - Slapped a student on the arm during science class; and
  - Asked the student not to report that she had slapped the student during science class.

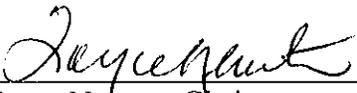
The Ethics Subcommittee recommended that the Board place Ms. Cagle's license on probation for one (1) year and assess a \$75 fine.

- h. On August 11, 2015, Educator Cagle, through her attorney, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- i. On September 11, 2015, Educator Cagle, through her attorney, 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.
- j. 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 Cagle for her violation of the Code of Ethics, orders probation of her license for one (1) year, and assesses a fine of \$75.
- c. Educator Cagle 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 Cagle's professional licensure file and in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
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Toyce Newton, Chair  
Arkansas State Board of Education