

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

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE JAMES GREGORY PRESLEY, PLSB CASE NO. 15-132**

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 James Gregory Presley (“Educator Presley”). Based upon Educator Presley’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 Presley a standard five-year teaching license on January 1, 2015, valid until December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Presley 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 May 1, 2015, the Ethics Subcommittee authorized an investigation into the allegation that Educator Presley violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On May 6, 2015, Educator Presley was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On October 2, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Presley violated Standard 1 when he:

- Made an inappropriate comment about a female student's dress; and
- Sent inappropriate messages to students.

The Ethics Subcommittee recommended that the Board place Educator Presley's license on probation for two (2) years, assess a \$75 fine, and that he complete six (6) hours of social media training through AETN. This training will be completed within sixty (60) days of the date of the Board's final order and all associated costs will be paid by Educator Presley.

f. On October 7, 2015, Educator Presley, through his attorney, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. On October 9, 2015, Educator Presley, through his attorney, accepted the Ethics Subcommittee's recommendation, 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.

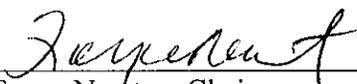
h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

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 Ethics Subcommittee's recommendation.

- b. Accordingly, the Board admonishes Educator Presley for his violation of the Code of Ethics, orders probation of his license for two (2) years, assesses a fine of \$75, and requires that he complete six (6) hours of social media training through AETN. This training will be completed within sixty (60) days of the date of the Board's final order and all associated costs will be paid by Educator Presley.
- c. Educator Presley 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 his license.
- d. This order shall remain permanently in Educator Presley'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