

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
OCTOBER 8, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE CATHY SUE NANCE, PLSB CASE NO. 15-139**

At its regular meeting on October 8, 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 Cathy Sue Nance (“Educator Nance”). Based upon Educator Nance’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 Nance a standard five-year teaching license on January 1, 2011, valid until December 31, 2015.
- b. The Ethics Subcommittee received an allegation that Educator Nance 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 Nance violated Standard 3: An educator honestly fulfills reporting obligations associated with professional practices.
- d. On May 7, 2015, Educator Nance 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 Nance violated Standard 3 when she:
 - Knowingly changed a student's score to ensure she made the dance team.The Ethics Subcommittee recommended that the Board issue Educator Nance a written warning.
- f. On August 11, 2015, Educator Nance was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. On August 14, 2015, Educator Nance 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 Nance for her violation of the Code of Ethics and issues a written warning.
- c. Educator Nance is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of her license.

- d. This order shall remain for two (2) years in Educator Nance's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education