

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
AUGUST 13, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE MICHELE YVETTE CASTEEL, PLSB CASE NO. 15-086**

At its regular meeting on August 13, 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 Michele Yvette Casteel (“Educator Casteel”). Based upon Educator Casteel’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 Casteel a standard five-year teaching license on January 1, 2013, valid until December 31, 2017.
- b. The Ethics Subcommittee received an allegation that Educator Casteel 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 February 6, 2015, the Ethics Subcommittee authorized an investigation into allegations that Educator Casteel violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On February 9, 2015, Educator Casteel was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On June 5, 2015, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 1 in that Educator Casteel:

- Put her fingers across student's mouth to quiet him and when student stuck his tongue out and licked her hand, lightly popped the student on the lips as a reflex; and
- On previous occasions placed the student in the bathroom during naptime in an effort to keep the student quiet and from bothering other napping students.

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

f. On June 9, 2015, Educator Casteel, through her attorney, was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. Neither Educator Casteel, nor her attorney responded within the accepted period of time to the Ethics Subcommittee's recommendation and did not request a hearing before the Board, thereby waiving her right to any further notice or 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 recommendations of the Ethics Subcommittee.

- b. Accordingly, the Board admonishes Educator Casteel for her violation of the Code of Ethics and issues a written warning.
- c. Educator Casteel 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 her 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