

Cynthia Evans
Suspension, Three (3) Month Retroactive with Proof of Professional Development

The Background:

Prior History: N/A

Facts: While responding to a call for assistance with a student safety concern, Ms. Evans improperly restrained and/or physically relocated said student.

Applicable Law

/Rule: 0520-02-03-.09(1)(f) defines Inappropriate Physical Contact as, “Unlawful and/or unjustified physical contact with a student. Examples of such inappropriate physical contact include, but are not limited to, sexual contact, physical altercations, horseplay, tickling, improper use of corporal punishment, improper restraint or isolation of a student receiving special education services, and rough housing.”

0520-02-03-.09(1)(p) defines Suspension as, “With regard to licensure action by the State Board, suspension means the nullification of an educator’s license for a predetermined term, after which the license may be reinstated. Reinstatement shall be subject to the completion of any terms and conditions contained in the order of suspension. With regard to employment action taken by a public or non-public school or school district, suspension means the temporary removal of an educator from his or her regular duties with or without pay. Suspension also includes the placement of an educator on administrative leave pending investigation into allegations of misconduct.”

0520-02-03-.09(3)(e) provides, “The State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for ... inappropriate physical contact with a student.”

0520-02-03-.09(5)(a)(7)(i) provides, “An individual holding an educator’s license who is found to have engaged in inappropriate physical contact with a student that does not result in harm or potential harm to the student shall be subject to a disciplinary action within the range of a formal reprimand up to and including suspension for two (2) years.”

Status: Respondent was notified by certified mail of the Board’s intent to **retroactively suspend** Respondent’s educator license based upon these findings. Respondent received said notice and agreed to the retroactive suspension of Respondent’s license.

Board Action Consistency Considerations:

February 2026 – Board approved a two-month retroactive suspension with proof of professional development for engaging in inappropriate physical contact with a student without harm, to wit: improper restraint.

November 2025 – Board approved a three-month retroactive suspension for engaging in inappropriate physical contact with a student without harm, to wit: improper restraint and physical relocation.

August 2025 – Board approved a three-month retroactive suspension with proof of professional development for engaging in inappropriate physical contact with a student without harm, to wit: improper restraint and physical relocation.

November 2024 – Board approved a three-month retroactive suspension with proof of professional development for engaging in inappropriate physical contact with a student without harm, to wit: improper restraint.

The Recommendation:

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for the retroactive three-month suspension of Respondent's license, with reinstatement contingent upon Respondent's completion of professional development, based upon the facts and applicable rules noted above.