

Code of Ethics for Arkansas Educators



*Arkansas Professional
Licensure Standards Board*

Integrity ■ Knowledge ■ Professionalism

Approved
August 1, 2008

OVERVIEW

Act 846 of 2007

- Established the Professional Licensure Standards Board (PLSB) comprised of teachers, administrators, college and university faculty and Arkansas Department of Education staff
- Required development of the Rules Governing the Code of Ethics for Arkansas Educators

OVERVIEW OF RULES

- Defines Standards of Professional Conduct
- Outlines procedures for investigation and enforcement of the Code of Ethics
- Establishes fines for violations
- Establishes fee structure to fund the total operations of the Professional Standards Licensure Board

STANDARDS

Standard 1

An educator maintains a professional relationship with each student, both in and outside the classroom.

Standard 1 - Intent

This standard goes to the core of a professional educator's expected conduct and relationship with all students and transcends criminal behavior or other actions which violate law.

Standard 1 - Intent

A professional educator:

- behaves or takes actions that serve to promote at all times the mental, emotional, physical health, and safety of students.
- shows respect for and does not demean, embarrass, or harass students absent of some reasonable educational or disciplinary purpose.

Standard 1 - Intent

A professional educator:

- maintains a position of teacher/student authority with students, even while expressing concern, empathy, and encouragement for students.
- nurtures the student's intellectual, physical, emotional, social, and civic potential.
- may display concern and compassion for a student's personal problems and, when appropriate, refers the student for school counseling or other help.

Standard 1 – Case Study

#1

Peggy Johnson is a high school music teacher. One of her students, Brad Tucker, comes to class upset. In comforting Brad, Ms. Johnson puts her arm around his shoulder. Is she in violation of the standard?



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#2

Ron Abbott is a middle school science teacher. When Gayle Evans, a student in his third-period class, doesn't know the names of all of the planets, he states that she is just as stupid as her older brother, who was in his class last school year. Is this a violation of the standard?



#3

Administrators at Pecan Grove Middle School announced that all sixth-grade students scoring proficient or advanced on the upcoming Benchmark Exams will be awarded the top lockers next year. All other students will be assigned bottom lockers at the school. Is this school-wide sanction a violation of the standard?



#4

Charlotte Ann Thompson, a licensed special education teacher, is currently unemployed. While working with her church youth group, she becomes sexually involved with a sixteen-year-old in the youth group. Is this a violation of the standard?



Standard 2

An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice.

Standard 2 - Intent

A professional educator:

- maintains competence in skills and knowledge.
- maintains dispositions that are required in the course of instruction such as, ensuring that students have access to varying points of view and that instruction reflects current subject matter.

Standard 2 – Case Study

#5

Mr. Don McAfee is the middle school English teacher. At the beginning of each school year, he prepares his lesson plan for the year by merely copying the same plans that he has used for the past five years. He does, however, change the dates on the plans, but does not implement best practices or research from student data. Is Don violating this standard?



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Standard 2 – Case Study

#6

Dr. Mitch Phelps is the principal of Ivy Lane High School. Ms. Gracie Dobson, a calculus teacher at the school, requests a meeting with Dr. Phelps and tells him that she wants to resign. When asked why, Ms. Dobson says, “I realized I really don’t like children.” However, Dr. Phelps tells her that the school needs a calculus teacher and tries to persuade her to stay. Has either educator violated the standard?



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Standard 2 – Case Study

#7 *The 9th grade social studies students in Ms. Tia Storm’s class at Gung Ho Middle School, were assigned to write essays on the War in Iraq. The students would then give an oral summary to the class. Mike James’ essay focused on the thesis that the war is an imperialistic venture by the USA and that the overthrow of Saddam Hussein and weapons of mass destruction were only excuses for launching this war. Since several students in the class have relatives who are fighting or have fought in the war, the teacher, decided that Mike’s essay was too controversial and would not allow him to present to the class. Is Tia’s action in violation of the standard?*



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Standard 3

An educator honestly fulfills reporting obligations associated with professional practices.

Standard 3 - Intent

A professional educator:

- does not intentionally or knowingly attempt to deceive or mislead an educational entity.
- is honest when reporting data and information.
- honestly reports grades.
- honors this standard when giving information to recommend an individual for employment, promotion or licensure, as well as reporting professional qualifications, criminal history, college credits and degrees, awards, and employment history.



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Standard 3 – Case Study

#8

Mona Calhoun is a ninth-grade math teacher at Cherry Street High School. One day, she contacts the school to use a sick day. Later, that same day, her principal, Danny Grant, telephones Ms. Calhoun's home to see if everything is alright. Ms. Calhoun says: "I'm fine. I was just sick of how dirty my house was and needed to catch up on my housework." Is Ms. Calhoun in violation of the standard?



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Standard 3 – Case Study

#9 *Sheila Kemp, an assistant principal at the Christ Church Elementary School, a private school in Arkansas, is trying to become licensed as a superintendent. However, her Praxis score is too low to meet licensure requirements. To fix this problem, Ms. Kemp uses Wite-Out to cover over the low score on the Praxis scoring report, then types in a higher score and submits it to the Arkansas Department of Education. Did she violate the standard?*



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Standard 3 – Case Study

#10

Dr. Mary Williams, Assistant Superintendent for Human Resources at Crossroad School District, is contacted by an administrator from the Rosewood School District regarding a reference check on a former choir teacher from her district. Dr. Williams shares with her colleague that the choir teacher resigned from the district, but his choirs always placed well in regional competition. However, Dr. Williams failed to mention that the teacher resigned in lieu of termination. Did she violate this standard?



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#11

Heather Walker is a star volleyball player on the high school team. Kevin Morris, her coach, discovers she may be ineligible for the state playoffs if she fails Carol Brady's business class. Coach Morris has a conference with Ms. Brady about changing Heather's grade for the benefit of the team and the school. Is either educator in violation of this standard?



#12

Rich Young, an elementary counselor, plans to retire this coming May and has accumulated over 100 sick days. Since his district does not pay for unused sick days upon retirement, he notifies his administration that he plans to be sick “a lot this school year.” Is this a violation of the standard?



#13

Dr. Johnnie Russ, a licensed Arkansas teacher, is the Coordinator of the Administrator Licensure Program at Arkansas Natural University. A student enrolls in her program on an ALCP in order to meet employment requirements from the Arkansas Department of Education and his school district. Once the student is accepted into the university's program and hired, he drops out of the program. Dr. Russ does not report this to the Arkansas Department of Education. Is this a violation of the standard?



Standard 4

An educator entrusted with public funds and property honors that trust with honest, responsible stewardship.

Standard 4 - Intent

A professional educator:

- is a good steward of public funds, personnel and property dedicated to school-related purposes.
- does not misuse resources for personal gain, other than incidental use

#14

During spring break, Dianna Smith, Assistant Superintendent at Pines School District, deploys three district maintenance employees to clear a vacant lot she and her husband just purchased. She tells them that they should use the district's bush hog and tractor to get the job done. Since it is spring break and the children are not in school, the employees were allowed to do this work during the regular workday. Is this a violation of the standard?



#15

The Riverway School Board is reviewing the district's financial statement at its monthly meeting. Superintendent Dale Peabody has provided the Board with a financial report from an Excel spreadsheet rather than the state's Cognos / Pentamation report. Mr. Peabody believes the Excel version is a more user-friendly method to explain the district's finances to his board. Is this a violation of the standard?



Standard 4 – Case Study

#16

Janice Cook is the high school journalism teacher. Due to her position, she always takes her laptop home each evening. Last night, her fifteen-year-old son needed to finish his research paper. An electrical storm that afternoon had disabled their home computer. She allows her son to complete his paper on her district-owned laptop. Is this a violation of the standard?



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#17

Mr. Tony Farmer, an assistant principal, has a district-issued laptop. He doesn't use it every day, but usually keeps it on the back seat of his car, which he doesn't always remember to lock. Is this a violation of the standard?



Standard 5

An educator maintains integrity regarding acceptance of any gratuity, gifts, compensation or favor that might impair or appear to influence professional decisions or actions and shall refrain from using the educator's position for personal gain.



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Standard 5- Intent

A professional educator:

- refrains from conduct which is solely for personal gain and creates an appearance of a conflict of interest.
- does not use his/her position for personal gain.

Standard 5 – Case Study

#18

Donna Jefferson and John Underwood are art teachers at Jefferson Heights High School. They attended a national conference for art educators. At the on-site registration table, all of the conference attendees receive a tote bag that includes a set of paint brushes and paints, a portfolio with the conference logo on it, and a book on art history. Have Donna and John violated the standard by accepting the tote bag?



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#19

Dr. Kenneth Hodges is the Assistant Superintendent for technology at Oak City School District. He is accepting bids for new computers for the new elementary school. A sales rep for a certain brand tells Dr. Hodges that if he purchases the computers from his company, then the sales rep will give Dr. Hodges a computer for his home. If Dr. Hodges accepts the offer, will he be violating the standard?



Standard 6

An educator keeps in confidence secure standardized test material as well as information about students and colleagues obtained in the course of professional service unless disclosure serves a professional purpose or is allowed or required by law.

Standard 6-Intent

A professional educator:

- keeps student records, other educators' records, and standardized testing materials confidential.
- maintains the confidentiality of those parts of standardized test materials that are to remain confidential such as actual test items and test booklets in accordance with state law, regulation, and testing policy.

Standard 6 – Case Study

#20

Michelle Casey is a fifth-grade teacher at Banks Street Elementary School. One afternoon, she agrees to watch the office while the secretary does a quick errand. While searching for a pen, she sees the personnel files of several teachers in the desk. She opens each one and reads them. Later, she tells her friend and fellow teacher, Jane Tucker, what she saw in the files. Is Michelle violating the standard?



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#21

Brenda Rider is a sixth-grade teacher at Wood Glen Middle School. She really wants her students to score well on the Benchmark Exams. Therefore, while she is proctoring her students, she frequently points to answers on their bubble sheets or gives them signals. Has Brenda violated the standard?



Standard 7

An educator refrains from using, possessing and/or being under the influence of alcohol, tobacco, or unauthorized drugs while on school premises or at school-sponsored activities involving students.

Standard 7 - Intent

A professional educator:

- refrains from using, possessing, or being under the influence of the listed substances while on school premises or at school-sponsored activities involving students
- is not in violation of state law governing the using, possessing or being under the influence of alcohol, tobacco, or unauthorized/illegal drugs while on school property or at school-sponsored activities involving students.



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#22

On Saturday night, Andrew Westwood, the high school football coach, takes his family out to the local pizza parlor for dinner. He orders a beer with his pizza. While in the restaurant, two of his students enter the pizza parlor and sit at a nearby table. Is Andrew's drinking a beer with his family violating the standard ?



#23

Kathy Dalton, an elementary library/media specialist, shares with her colleagues that she must bring her marijuana to school so that her boyfriend will not smoke it while she is at work. Is she violating the standard?



#24

Jeff Brooks is a high school baseball coach who frequently drives his players on the team bus to the games. Jeff also frequently uses smokeless tobacco while driving the school bus to the games. Is he violating the standard?



#25

Last night, Julie Hughes was ejected from her son’s high school basketball game when she began arguing with the referees due to her inebriated state. Julie is a licensed Arkansas educator who is currently serving on the local school board but is employed as a real estate agent. Is she in violation of the standard?



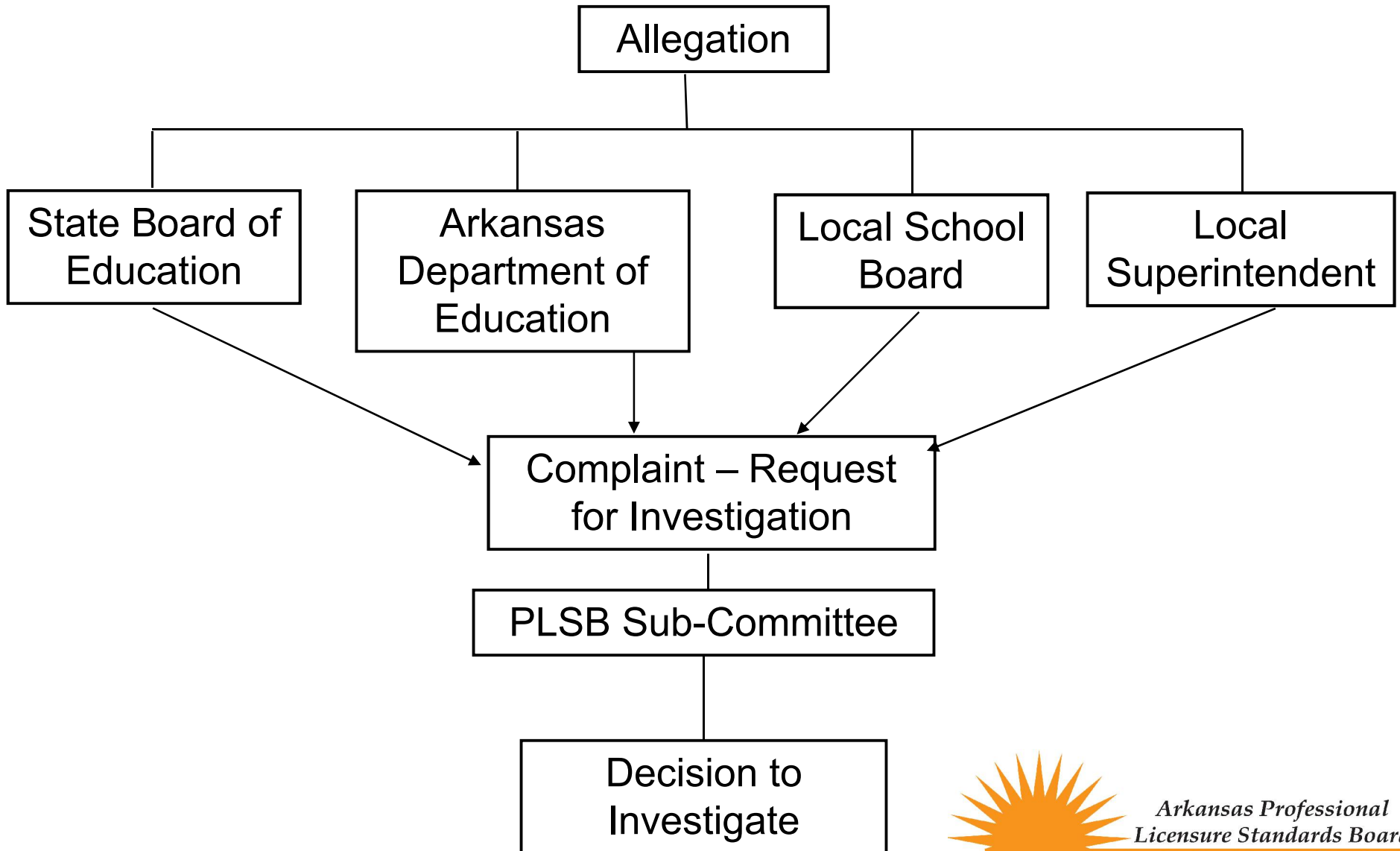
Disciplinary Action

Any of the following shall be considered cause for recommendation of disciplinary action against the holder of a teaching license:

- An initial determination that there is probable cause to believe a breach of any of the Standards of the Code of Ethics in Section 5.00 or any conduct described in the offenses set forth in A.C.A. §§ 6-17-410(c)(1) – (34) has occurred.
- A failure to comply with the payment of any imposed fines.
- Disciplinary action against a teaching license/certificate in another state on grounds consistent with unethical conduct specified in Section 5.00 or as stated in the bullets above in 6.01 of these rules.

INVESTIGATIONS

INVESTIGATIVE PROCESS



INVESTIGATIVE PROCESS

1. Complaint received by the PLSB

A complaint will be deemed as a request to investigate.

A complaint must be a written and validated signed statement of allegations.

INVESTIGATIVE PROCESS

- i. The Ethics Review Sub-Committee determines whether to investigate.
- ii. Letter sent to complainant about disposition of complaint.
- iii. Letter sent to Superintendent or President of the local school board if appropriate about disposition of complaint.

INVESTIGATIVE PROCESS

- iv. The following will automatically go to the sub-committee to open an investigation:
 - a) An affirmative answer concerning criminal or ethical violations on a licensure application.
 - b) Confirmation from the Arkansas State Police or the FBI, regarding criminal convictions.

INVESTIGATIVE PROCESS

2. Investigation Initiated by PLSB

3. Probable Cause Determination Made

4. Proposed Action or Hearing Offered

5. PLSB Evidentiary Hearing

INVESTIGATIVE PROCESS

6. Evidentiary Hearing Procedures

- The educator shall be notified in writing of the date, time and location of the Ethics Sub-Committee of the Professional Licensure Standards Board (PLSB) meeting at which his/her case will be considered. The notice will also state a deadline by which the educator must submit items to the sub-committee for consideration.
- Hearing is conducted.

INVESTIGATIVE PROCESS

- A written decision reflecting the hearing subcommittee's final decision and recommendation shall be promptly prepared by the PLSB for the chairperson of the hearing subcommittee's signature. A copy of the decision and recommendation shall be timely transmitted to the educator, the PLSB and the SBE.

INVESTIGATIVE PROCESS

- The educator shall have thirty (30) days from the receipt of the decision and recommendation to appeal the sub-committee's decision to the SBE. Should the educator not file an appeal to the SBE within the above-referenced thirty (30) day time period, the decision of the sub-committee shall become non-appealable.

ACTIONS AND APPLICABLE FINES

Potential Actions	Maximum Fine Amount
Not Substantiated	\$0
Recommend training, coursework or rehabilitative treatment. Progress will be monitored	All costs assumed by the Educator
Written Warning by State Board of Education	\$0
Written Reprimand by State Board of Education	\$50
Probation of License by State Board of Education	\$75
Suspension of License by State Board of Education	\$100
Permanent Revocation of License by State Board of Education	\$0

APPLICABLE FEES

APPLICABLE FEES

License Issued	New or Renewal	Fee Amount
Five-Year Standard Teacher's License	New Renewal	\$100
Five-Year Vocational Permit	New Renewal	\$100
One-Year Professional Teaching Permit	New	\$35
Adding Degrees to Existing License (If not occurring at the time of renewal)	N/A	\$50
Duplicate License	N/A	\$50



Questions ?