





# Overview of the Code of Ethics for Arkansas Educators July 2014

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- The Code of Ethics is designed as a model of minimum standards for maintaining the public's respect for, and support of, those holding a license issued by the State Board of Education
  - It is not intended to regulate the employer/employee or contract relationship between any public school district and its educators
  - The Code is an overarching and superior set of standards and rules intended to establish and contribute to the development and maintenance of a supportive student-centered learning community that values and promotes human dignity, fairness, care, the greater good, and individual rights

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- The Code of Ethics for Arkansas Educators consists of Eight Standards as of July 1, 2014
  - The conduct of Educators is reviewed against these Standards in determining whether or not a violation or violations have occurred

# The Standards



and

Guidelines to Clarify the Intent of  
the Standards of Professional  
Conduct

# Standard #1: An educator maintains a professional relationship with each student, both in and outside the classroom.

## Guidelines

- The core of a professional educator's expected conduct and relationship with all students transcends criminal behavior or other actions which violate law. Examples include:
  - Educator behavior and actions should promote at all times the mental, emotional, and physical health and safety of students
  - Educators should show respect for and not demean, embarrass, or harass students absent some reasonable educational or disciplinary purpose and never as prohibited by law
  - Educators maintain a position of educator/student authority even while expressing concern, empathy, and encouragement or nurturing a student's intellectual, physical, emotional, social and civic potential
  - Educators may display concern and compassion for a student's personal problems and, when appropriate, refer the student for school counseling or other help

**Standard #2:** An educator maintains competence regarding his or her professional practice inclusive of skills, knowledge, dispositions and responsibilities relating to his or her organizational position.

### Guidelines

- This standard addresses the professional educator's obligation to implement best practices and maintain competence in skills and knowledge
- Educators have many 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 #3: An educator honestly fulfills reporting obligations associated with professional practices.

## Guidelines

- This standard covers those situations where there is an intentional or knowing attempt to deceive or mislead an educational entity. Honest errors or mistakes or inaccuracies are not intended to be encompassed by this standard.
  
- Examples of reporting obligations include:
  - Reporting data and information to the Arkansas Department of Education, the Arkansas Bureau of Legislative Audit, the Arkansas State Board of Education, and other state and federal governmental agencies
  - Reporting grades
  - Giving information to recommend an individual for employment promotion or licensure as well as when reporting professional qualifications, criminal history, college credits and degrees, awards, and employment history
  - Timely submitting information, when required
  - Compliance with mandated child abuse reporting laws

**Standard #4:** An educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.

### Guidelines

- Educators must be a good steward of public funds, personnel and property dedicated to school related purposes
- Use and accounting for these resources under educator control must comply with state and federal laws regulating the use of public funds and property
- Use of such resources for personal gain, other than incidental personal benefit for which there is no public education purpose, would not be in keeping with the intent of this standard



**Standard 5:** An educator maintains integrity regarding the 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.

### Guidelines

- This standard is intended to prohibit that conduct which is solely for personal gain and creates an appearance of a conflict of interest in the role as an educator. This involves an examination of the total circumstances surrounding the gratuity, gift, compensation, or favor
- Factors to consider include:
  - The value of the gratuity, gift or favor
  - The reasonableness of any compensation
  - The timing of the gratuity, gift, compensation, or favor
  - The relationship between the educator and the person from whom the gratuity, gift, compensation, or favor comes

# Standard #6: An educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures.

## Guidelines

- When standardized tests are administered, educators maintain the confidentiality of those parts of the standardized test materials that are to remain confidential, including actual test items and test booklets in accordance with state law, regulation, and testing policy
- Supervisors may be entitled to access to other educators' personnel records and should maintain the confidentiality of those records
- Educators are reminded that this standard is in addition to conduct prohibited under Ark. Code and the Arkansas Department of Education Rules Governing Testing Improprieties
- The State Board may take direct action to revoke, suspend, or place on probation, the license of an educator whose conduct violates this section without the filing of an ethics complaint

**Standard #7:** An educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations.



# Standard #7 (Cont'd):

## Guidelines

- At times educators are entitled to and/or for professional reasons need access to certain student records, as well as other educator or colleague records. Much of this information is confidential and the educator should maintain that confidence unless the disclosure serves some legitimate educational purpose as allowed or required by law
- Confidential student information may include student academic and disciplinary records, health and medical information, family status and/or income, assessment/testing results, and Social Security information
- The Federal Education Rights and Privacy Act (FERPA) addresses the confidentiality of certain student records
- Federal and state laws permit disclosure of some student information and restrict the disclosure of other student information
- Educators respect and comply with these and other similar confidentiality laws


**Standard #8:** An educator refrains from using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco-related products while on school premises or at school-sponsored activities involving students.

### Guidelines

- This standard sets forth educator expectations concerning using, possessing, or being under the influence of the listed substances while on school property or at school-sponsored activities involving students
- It also prohibits possessing or using tobacco-related products while on school premises or at school-sponsored activities involving students



# Revisions/Additions to the Standards effective July 1, 2014

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- The current Standards include revisions to three previous Standards (Standards 2, 6, and 7) and the addition of one new Standard (Standard 8), all effective July 1, 2014
  - These revisions/additions were proposed by the Professional Licensure Standards Board (PLSB) and approved by the State Board of Education (SBE) based on cases considered by the PLSB Ethics Subcommittee
  - All eight Standards apply to the investigation of cases for which the alleged violations occur on or after July 1, 2014

# Standard 2

- Old Standard 2: An educator maintains competence regarding skills, knowledge, and disposition relating to his/her organizational position, subject matter, and/or pedagogical practice.
- New Standard 2: An educator maintains competence regarding his or her professional practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her organizational practices.



# Standard 6



- Old 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 by law.
- New Standard 6: An educator keeps in confidence secure standardized test material and results and maintains integrity regarding test administration procedures.

# Standard 7

- Old Standard 7: An educator refrains from using, possessing and/or being under the influence of alcohol, *tobacco*, or unauthorized drugs or substances while on school premises or at school-sponsored activities involving students.
- New Standard 7: **An educator maintains confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulation.**

# Standard 8

- New Standard 8: An educator refrains from using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at school-sponsored activities involving students.

# Historical Statistics

Since the 2008-2009 School Year, through the end of June, 2014, the PLSB received a total of 1,155 allegations.

## Breakdown:

- Standard 6 testing violations 114
- All other Standard violations 1,041

# Statistics by Standard

## July 1, 2013 – June 30, 2014

### Standards Alleged Violated

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
161	65	46	10	4	*36	11

- \* Standard 6 includes 8 Testing Allegations
- Some Allegation Forms Allege Violations of More than One Standard.
- Some Cases Involve More than One Educator

# Sexual Abuse of a Student Reporting/Validation Requirements Reminder

Under Act 1323 of 2013, effective August 16, 2013:

- An educator in a supervisory role shall file an ethics complaint if he or she observes or has reasonable cause to suspect that an educator has violated Code of Ethics Standard 1 involving the sexual abuse of a student.
- The failure to submit the ethics complaint mentioned above is a violation of the Code of Ethics.
- As of March 1, 2014, before hiring an educator, a school district must check the Arkansas Educator Licensure System (AELS) database to determine whether the State Board of Education has taken action against the applicant's license on a Standard 1 violation that involves sexual abuse of a student.

# Sexual Abuse of a Student Defined

Sexual abuse of a student is defined as any of the following involving a student, even if the student is over 18:

- Sexual intercourse
- Deviate sexual activity
- Sexual contact
- Attempted sexual intercourse
- Attempted deviate sexual activity
- Attempted sexual contact
- Forcing or encouraging the watching of pornography
- Forcing, permitting, or encouraging the watching of live sexual activity
- Forcing the listening to a phone sex line
- An act of voyeurism

# Professional Licensure Standards Board (PLSB) Points of Contact



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