THE CODE OF ETHICS FOR ARKANSAS EDUCATORS

Overview of the Code and Case Studies--Fiscal 2013

THE STANDARDS

The Code of Ethics for Arkansas Educators consists of Seven Standards upon which Conduct of Educators is judged as to whether or not a violation or violations have occurred.

THE STANDARDS AS ORIGINALLY ADOPTED

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

Standard #2: An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice.

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

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

Standard 5: An educator maintains integrity regarding the acceptance of any gratuity, gift, 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.

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.

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.

REVISIONS TO THE STANDARDS

Revisions to three of the Standards became effective on July 15, 2012, and apply to the investigation of cases for which the alleged violations occurred after that date.

Those revisions were proposed by the PLSB based on cases which were considered by the PLSB Subcommittee.

REVISIONS TO THE STANDARDS STANDARD 4

Old Standard 4: An educator entrusted with public funds and property honors that trust with honest, responsible stewardship.

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

REVISIONS TO THE STANDARDS 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 information about students and colleagues obtained in the course of professional service, **including** secure standardized test material**s** **and results**, unless disclosure serves a professional purpose or is allowed by law.

REVISIONS TO THE STANDARDS STANDARD 7

Old 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.

New 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.

HISTORICAL STATISTICS

Since the 2009-2010 School Year, through end of fiscal 2013, the PLSB has received 652 allegations of violations of the Standards, and has received an additional 92 allegations related specifically to Standard 6 testing violations, for a total of 744 allegations.

Statistics by Standard for Fiscal 2013

Standards Alleged Violated (Non-Testing)

Year	1	2	3	4	5	6	7
2013	178	71	54	15	3	32	4

Note: Some Allegation Forms Allege Violations of More than One Standard. Some Cases Involve More than One Educator.

STATISTICS BY STANDARD FOR FISCAL 2013

An Additional 15 Allegations Were Filed as Testing Violation Cases Under Standard 6 and Involved 16 Educators.

New Requirements

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.
- Beginning March 1, 2014, before hiring an educator, a school district must check an ADE database (under construction) 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.

Definition of Sexual Abuse

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

Case Studies

Cases Representing the Seven Standards Resolved During the 2013 Fiscal Year

Allegations and Resolutions

Allegation:
The complaint alleged that the educator:

- **Engaged in conversations with the girls on his sports team in which he discussed the sex life of one of the other players, and then questioned that player in front of the other players regarding her relationship with boys.**

Standard Alleged Violated:

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

Allegations and Resolutions

Result of Investigation:

- The allegations were substantiated.

Resolution:

- The State Board of Education issued a Written Warning.

Results in Similar Cases

Investigation Revealed:

- An educator exchanged text messages of a personal nature with a 14 year old female student experiencing problems with her home life and involved himself in communications which should have been handled through educator/parent contact in order to maintain professionalism. (Standard 1)

Resolution:

- The State Board issued the educator a Written Warning.

Results in Similar Cases

Investigation Revealed:

- A coach made the comment, “The only good thing about volleyball is watching the (expletive deleted) in their booty shorts” and “Women are nothing but trouble. I found out the hard way, when I caught my wife in bed with another man and almost killed them both.” (Standard 1)

Resolution:

- The State Board issued a Written Reprimand and assessed a fine of $50.

Results in Similar Cases

Investigation Revealed:

- An educator made inappropriate comments of a sexual nature to female students and others regarding female students, asked inappropriate questions of female students regarding their sexual activity and sexual orientation, and had or allowed female basketball players to switch their practice jerseys, thereby exposing their sports bras, in his presence, causing some players to be uncomfortable as a result. (Standard 1)

Resolution:

- The State Board issued the educator a Written Reprimand and assessed a $50 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Humiliated, bullied, intimidated, ridiculed, and embarrassed the student by questioning the student as to whether his pants were “sagging”.
- Sent the student into the hallway and followed him there.
- Had the student face away from him, raise his hands over his head, and then pulled the student’s pants down to his knees.
- Told the student, “Now you’re sagging. Now go to the office and get a sagging slip and come back.”

Allegations and Resolutions

Standard Alleged Violated:

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

Result of Investigation:

- The investigation confirmed the allegation.

Resolution:

- The State Board issued a Written Reprimand and assessed a $50 fine.

Results in Similar Cases

Investigation Revealed:

- An educator grabbed the hair of two third-grade boys who were engaged in horseplay, pulled their heads down to the side, and then jerked their hair, leaving red marks on their scalps. (Standard 1)

Resolution:

- The State Board issued a Written Reprimand and assessed a $50 fine.

Results in Similar Cases

Investigation Revealed:

- The educator engaged in an aggressive and/or threatening manner with students, to include hitting a female student with a bat and throwing a male student to the ground, that he engaged in horseplay with and/or rough housing with students, and that he failed to set appropriate boundaries for the students and/or himself. (Standard 1)

Resolution:

- The State Board placed the educator's license on Probation for a period of three years and assessed him a fine of $75.

Results in Similar Cases

Investigation Revealed:

- After a student cursed at an educator, he grabbed the student by his backpack, put the student up against the wall and placed his arm to the student's neck. When the educator released the student, the student repeated the curse word, and the educator again grabbed the student, they began to wrestle after falling to the ground, and continued to wrestle for a period of time. (Standard 1)

Resolution:

- The State Board placed the educator's license on Probation for a period of one year and assessed him a fine of $75.

Results in Similar Cases

Investigation Revealed:

- An educator singled out two students in front of their peers, to inquire of them, "Which one of you boys pooped on the slide? I know it was one of you." She then obtained cleaner and rags to make the student clean the slide until she was stopped by office personnel. (Standard 1)

Resolution:

- The State Board issued a Written Reprimand and assessed her a fine of $50.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator, assigned at the Arkansas Correctional School:

- Physically assaulted an inmate student by striking him with her fist.
- Failed to report the incident with the student inmate to prison authorities as required by institution policies.

Standards Alleged Violated:

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

Standard #3: And educator honestly fulfills reporting obligations associated with professional practices.

Allegations and Resolutions

Result of Investigation:

- The allegations in the complaint were substantiated. The Subcommittee on Ethics determined that both Standards were violated.

Resolution:

- The State Board ordered that the educator's license be placed on Probation for a period of one year and assessed a $75 fine.

Allegations and Resolutions

Allegation:
The complainant alleged that the educator:

- Asked a student if he would go to another student and attempt to buy or obtain some pills (drugs).

Standard Alleged Violated:

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

Allegations and Resolutions

Results of Investigation:

- The investigation revealed that the educator had learned that a student was possibly in possession of and selling drugs on campus. Instead of referring the matter to the administration or law enforcement personnel, she attempted to run a "sting" against the suspected student by enlisting another student to make a buy.

Resolution:

- The State Board issued the educator a Written Reprimand and assessed a $50 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Created a dangerous situation for students at the school where she taught by intentionally bringing a firearm and ammunition onto campus and leaving both unattended in her vehicle.

Standard Alleged Violated:

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

Allegations and Resolutions

Result of Investigation:

- Investigation determined that the educator bought a firearm and ammunition for personal protection. After she showed other educators the firearm and told them she intended to take it with her to school and leave it in her vehicle, they advised her that she could not do that. She indicated her intent to do so, notwithstanding their advice. After she consented to a search of her vehicle on the school parking lot the next day, the weapon and ammunition were recovered from her vehicle.

Resolution:

- The State Board placed her license on Probation for one year and imposed a $75 fine.

Results in Similar Cases

Investigation Revealed:

- The educator disregarded the safety of students and others by bringing a loaded handgun to school in her purse and further, failed to safeguard her purse, resulting in a student stealing the loaded firearm from the purse.

  (Standard 1)

Resolution:

- The educator was placed on Probation for a period of two years and fined $75 by the State Board.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- While in a chat room and communicating by web camera, performed a sex act in view of an undercover officer he believed was a 14-year-old female, and subsequently solicited her for oral sex.

Standard Alleged Violated:

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

Allegations and Resolutions

Result of Investigation:

- The investigation determined that the educator, thinking that he was communicating with a 14-year-old female, committed the acts alleged, which were confirmed by the police officers participating in the online undercover operation.

Resolution:

- The State Board ordered that the educator's license be Permanently Revoked.

Results in Similar Cases

Investigation Revealed:

- The educator engaged in inappropriate texting, sexting, and in exchanging inappropriate photographs with a female student, to include transmitting a photograph of his genitalia to the student. (Standard 1)

Resolution:

- The State Board ordered that the educator's license be Permanently Revoked.

Results in Similar Cases

Investigation Revealed that an Educator:

- Inappropriately touched female students he coached on their buttocks.
- Kissed female track team members on the forehead.
- Spoke to a female student about sexual matters, telling her things that "boys like".
- Asked a female student questions about her sexual experiences.
- Told a female student he would be willing to have sex with another female student if that student were of age.
- Drove the junior high track team in his personal vehicle during practice, without prior parental consent, allowing team members to ride in the bed of his pickup without seatbelts, on public streets.
- Permitted unlicensed students to drive his vehicle on campus, without an adult in the vehicle.

(Standard 1)

Resolution:

- The educator's license was Permanently Revoked by order of the State Board.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Invited a female student to his house for the purpose of fostering an unprofessional relationship.
- Sent texts, called, and sent email messages to the student for the purpose of fostering an unprofessional relationship.
- Engaged in a sexual relationship with the student.

Standard Alleged Violated:

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

Allegations and Resolutions

Result of Investigation:

- The educator was convicted of sexual assault in the second degree as a result of engaging in sexual activity with an 18 year old female student. The student had served as his babysitter and the two had engaged in sexual activity on multiple occasions and in different locations.
- The educator's conviction was subsequently overturned by the Arkansas Supreme Court after it determined the statute under which the educator was convicted was unconstitutional as written, because it involved sexual activity between two consenting adults.
- The educator argued that since his conduct had not been illegal, that his actions were not a violation of the Code of Ethics.

Allegations and Resolutions

Resolution:

- The State Board Permanently Revoked the educator's license.

(Caveat: Just because something is legal or is determined to have been legal at the time, does not ensure that it is ethical conduct and not subject to punitive action by the State Board.)

Additional Note: The 2013 Legislature enacted a new law during its session, effective in August , 2013, adding language which should satisfy the Supreme Court of the statute's constitutionality, which prohibits sexual activity between educators and students up to age 21.

Voluntary Surrender of Licenses

An educator may voluntarily surrender his or her license as opposed to availing himself or herself of the Administrative Process of the Professional Licensure Standards Board and recommendation to the State Board or having the State Board proceed with a Licensure Action based on a conviction for an enumerated offense or being listed on the Central Registry for child abuse.

If an educator voluntarily surrenders his or her license, that action serves as a Permanent Revocation of the license.

The following are examples of reasons some educators chose that option as opposed to the due process available to them.

Voluntary Surrender of Licenses

- An educator inappropriately touched one of his sixth-grade female students on the buttocks and made inappropriate comments to her.
- Another educator made sexually inappropriate comments to students, displayed inappropriate pictures on his cellular telephone to students, and was sexually indecent with one or more students.
- A male high school teacher engaged in inappropriate texting with a 16 year old female student, engaged in sexual contact with the student, to include sexual intercourse at various locations, including his classroom, and on numerous occasions, and as a result of having sexual intercourse with the student, impregnated her, after which she delivered a child fathered by him.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Confronted a student about wearing and spraying a particular brand of deodorant.
- Demanded that the student open his backpack and remove personal items.
- Grabbed the personal items from the student and began to “holler” at him about wearing and spraying the fragrances.
- Loudly complained to other teachers in an upset voice about students using fragrances and products and that the teachers and substitutes were doing nothing about it, while teachers and students were present and could hear what was being said.

Allegations and Resolutions

Standards Alleged Violated:

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

Standard #6: An educator keeps in confidence information about students and colleagues obtained in the course of professional service, including, secure standardized test materials and results, unless disclosure serves a professional purpose or is allowed or required by law.

In this case, the Subcommittee authorized an investigation of alleged violations of Standard #1, but did not authorize an investigation of the allegation of a violation of Standard #6.

While this matter was pending, other allegations were filed against the educator.

Allegations and Resolutions

Additional Allegation by Another Complainant

The second complainant alleged that the educator:

- Failed to provide equal treatment and punitive measures based on gender.
- Embarrassed, humiliated, and bullied students, and made disparaging and sarcastic remarks to them.
- Called students names and made negative character assessments of them in front of others.
- Mocked students.
- Made threats to students.
- Confronted students and questioned them regarding letters submitted to the superintendent regarding her classroom behavior.

Allegations and Resolutions

Allegation (Continued)

- Refused to respond to student requests for instructional assistance while she utilized her cellular telephone to send and receive text messages during class time.
- Failed and/or refused to follow a student's IEP.
- Failed to make required modifications based on students' IEPs.
- Failed to follow her lesson plan and instead played a book on tape unrelated to the class so that she could pack up her room for the end of the school year, while at least 10 days of the year remained.
- Allowed students to sleep in the classroom during instruction.
- Changed a student's grades because she failed to follow the modifications in the student's IEP.
- Altered a student's attendance record without cause so that the student would not receive a perfect attendance reward.

Allegations and Resolutions

Standards Alleged Violated:

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

Standard #2: An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice.

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

Allegations and Resolutions

Result of Investigations:

- The investigations substantiated the allegations listed above in both of the investigations.

Resolution:

- In the first investigation, the State Board ordered that the educator's license be placed on Probation for a period of 1 year and assessed a $75 fine.
- In the second investigation, the State Board ordered that the educator's license be Permanently Revoked.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Failed to provide therapy services required by a student's IEP, thereby depriving the student of needed services which were required under the Individuals with Disabilities Education Act (IDEA).
- Submitted 8 false Medicaid progress notes for therapy services which were never provided.

Allegations and Resolutions

Standards Alleged Violated:

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

Standard #2: An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice.

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

Allegations and Resolutions

Result of Investigation:

- Each of the allegations were substantiated by the investigation.

Resolution:

- The State Board placed the educator's license on Probation for a period of 2 years and assessed a $75 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Had a male student bring her a sex toys and creams catalog from his mother, looked at the catalog with the student and discussed certain products with him.
- Asked a male student for a condom.
- Took a sex quiz on a school computer while a female student was in the room and discussed sex and drugs in her presence.
- Showed students sex jokes on her phone.
- Discussed her sex life in front of her students.
- Had male students give her neck, shoulder, and back massages.
- Used inappropriate language in the presence of students.
- Played music with inappropriate lyrics loudly with students in the room.
- Yelled at students and spoke disrespectfully to them.

Allegations and Resolutions

Allegation (Continued):

- Requested a novice teacher to do a student observation, but not to date it, because it was past due and she needed to back date it.
- Had a novice teacher complete a blank observation form, while she stood behind the teacher and told her what to put on the form, but not to date the form.
- Delayed conferences until after she had a medical procedure, advising her aide that she would back date the forms because the students were over 18 and "don't know what they are signing".
- Completed annual review and re-evaluations that were due in August during the following Spring semester.

Standards Alleged Violated:

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

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

Allegations and Resolutions

Result of Investigation:

- All allegations were substantiated.

Resolution:

- The State Board ordered that the educator's license be Suspended for a minimum of 1 year, assessed a fine of $100, and that renewal of her license be conditioned upon release from her psychiatrist or treating psychologist.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- In the presence of other students, told a new English as a Second Language Student with very limited English speaking abilities that if he did not speak English he should go back to Mexico.

Standard Alleged Violated:

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

Allegations and Resolutions

After Authorization to Investigate, an additional allegation was received and authorized for investigation.

The complainant alleged that the educator:

- Yelled and screamed at team players and belittled them, and threw his water bottle, barely missing a student.
- Dismissed the other players and singled out a student, at whom he continued to yell and scream.
- Failed to properly supervise students.
- Engaged in a pattern of intimidating students.
- Made students fearful of attending his classes.
- Failed to schedule safe practice times, having students running when temperatures exceeded 100 degrees.
- Provided no water for students at the hottest period of the day.
- Did not have up to date physicals and consent forms for his athletes.

Allegations and Resolutions

Allegation (Continued):

- Did not allow enough off-days for the athletes.
- Failed to provide proper medical care after injuries.
- Failed to consult with specialists to provide appropriate practices which would limit injuries due to overtraining.
- Failed to use the best coaching practices.
- Failed to notify parents of student injuries.
- Failed to produce insurance and incident reports in a timely manner.
- Failed to maintain paperwork and documentation to meet district and state requirements.

Allegations and Resolutions

Standards Alleged Violated:

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

Standard #2: An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice.

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

Allegations and Resolutions

Results of Investigations:

- The violation of Standard #1 was substantiated in the first case filed against the educator.
- The investigation in the second case substantiated all of the allegations with the exception of the educator's failing to consult with specialists to provide appropriate practices to limit injuries.

Resolution:

- The State Board issued a Written Reprimand and assessed a $50 fine for the comments made to the English as a Second Language student.
- For the second case, the State Board ordered that the educator's license be Suspended for a period of 2 years and assessed a $100 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Falsely claimed that she had provided certain hours of required mentoring for novice educators, knowing that she had not done so.
- By making the false claim, made an effort to obtain state funds to which she was not entitled without having provided the service.

Standards Alleged Violated:

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

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

Allegations and Resolutions

Results of Investigation:

- The investigation substantiated the allegations.

Resolution:

- The State Board placed the educator's license on Probation for a period of 1 year and assessed a $75 fine.

Note: The two novice teachers were found to have violated Standards #2 and #3 for confirming in Atlas that they had received certain hours of mentoring, when in fact, they had not. Both were issued Letters of Caution by the PLSB Subcommittee on Ethics.

Results in Similar Cases

Investigation Revealed:

- The educator should have received 12 hours of professional development training for attending a 2 day conference, reported receiving 18 hours, but only earned 2 hours for actual attendance. She received compensation from her district for the two days and funds were expended for the training, which the educator did not receive. (Standards 3 and 4)

Resolution:

- The State Board issued a Written Reprimand and assessed a fine of $50.

Results in Similar Cases

Investigation Revealed:

- An educator failed to either keep accurate records and/or falsified records in her handling of a school sponsored book fair, either by falsifying records in order to cover up a "loan to self" in the amount of $415 of book fair proceeds and/or intending to steal the money and cover it up with falsified records. (Standards 3 and 4)

Resolution:

- The State Board ordered that the educator's license be placed on Probation for a period of 1 year and assessed a fine of $75.

Results in Similar Cases

Investigation Revealed:

- The educator falsified time and travel records for homebound instruction and received $1,661.63 (not including travel reimbursement) for services which could not be verified. (Standards 3 and 4)

Resolution:

- The State Board Suspended the educator's license for 1 year and assessed a $100 fine.

Results in Similar Cases

Investigation Revealed:

- An educator requested another staff member to falsely sign paperwork stating that the person was in attendance at a Special Education (SPED) conference, when in fact, that person was not present. (Standard 3)

Resolution:

- The State Board placed the educator's license on Probation for a period of 1 year and assessed a $75 fine.

Results in Similar Cases

Investigation Revealed:

- The Educator took steps to create a portfolio for a special education student in order to fraudulently manipulate the information in the portfolio, in that she asked a parent to send multiple changes of clothing for pictures to provide the impression that evaluations for the portfolio had occurred over multiple days during the assessment period. (Standard 3)

Resolution:

- The State Board placed the educator's license on Probation for a period of 1 year and assessed a $75 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Failed to take measures to protect a student after the educator learned that another educator had sent inappropriate text messages to the student and had kissed the student on school premises.
- Failed to comply with the state mandated reporting requirement after learning of a possible inappropriate relationship between the student and educator.

Standards Alleged Violated:

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

Standard #3: An educator honestly fulfills reporting obligations associated with professional practices.

Allegations and Resolutions

Results of Investigation:

- The investigation determined that the educator, after being made aware of the information, assumed that because the student and a parent were in the school office, the matter was being reported and did not take steps to ensure that a report was made to the Child Abuse Hotline.

Resolution:

- The State Board Suspended the educator's license for 1 year and assessed a $100 fine for violation of Standards #1 and #3.

Results in Similar Cases

Investigation Revealed:

- An educator, after becoming aware of possible sexual abuse occurring on school premises (student on student), failed to take necessary steps to protect the children being abused by neglecting to report the abuse to the appropriate authorities and by failing to take steps to end the abuse, and, having such knowledge, as a mandated reporter, failed to make the required report to the Child Abuse Hotline.

- The investigation revealed a pattern of abusive conduct occurring among students in the restroom which occurred over a period of months. The educator, as well as other educators, had been advised by the school principal not to report the abuse, but that she would handle the matter. No report was made by any educator. The educator's name was placed on the Maltreatment Central Registry at the Department of Human Services (DHS). (Standards 1 and 3)

Results in Similar Cases

Resolution:

- The State Board Suspended the educator's license until such time as she is able to have her name removed from the Central Registry and assessed a $100 fine.

Note: The principal, as a result of the investigation conducted in her case, elected to voluntarily surrender her license, which acts as a Permanent Revocation.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Failed to provide adequate supervision of his students so that they were able to install proxies on classroom computers enabling them to bypass the system filters to access pornographic websites.
- Allowed a student to utilize the educator's computer while logged in under the educator's password, resulting in the student installing the proxy to defeat the system filters on the educator's computer, thereby allowing access to prohibited sites.

Standards Alleged Violated:

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

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

Allegations and Resolutions

Results of Investigation:

- The investigation determined that a student or students had installed proxies on the classroom computers and on the educator's computer. Students, who were in an Alternative Learning Environment, were accessing pornographic and graphically violent websites, as well as playing on-line games on their computers, while the educator was working one-on-one with students or groups of students.

Resolution:

- The State Board placed the educator's license on Probation for a period of 2 years and assessed a $75 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator, a superintendent:

- Recommended a candidate for the assistant superintendent position, presented a new salary schedule proposal to the school board, and was directed by the board to submit the proposal to the district's personnel policies committee for its recommendation, and return that to the board.
- Did not seek the review and approval as directed, and without authority of the school board, entered into a contract with the candidate at an amount significantly higher than that payable under the authorized scale.

Standard Alleged Violated:

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

Allegations and Resolutions

Results of Investigation:

- The investigation substantiated the allegation.

Resolution:

- The State Board issued a Written Reprimand and assessed a $50 fine.

Results in Similar Cases

Investigation Revealed:

- A superintendent improperly utilized district funds to travel for the stated purpose of attending a conference in Las Vegas, Nevada, expenses for meals and travel were not properly documented, and the educator could not produce a certificate of attendance at the conference. Further, conference officials verified that the educator was not registered for the conference and that they could not confirm the educator's attendance. The educator reimbursed the district. (Standard 4)

Resolution:

- The State Board issued a Written Reprimand and assessed a $50 fine.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator, a teacher at the Arkansas Correctional School:

- Requested that an inmate student allow the educator to videotape the inmate performing a sex act.
- Reached toward the inmate in an attempt to see the inmate's private parts.
- Promised the inmate that if he would allow the educator to videotape him in the sex act that he would sell the video for $150 and give the inmate part of the money.

Allegations and Resolutions

Standards Alleged Violated:

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

Standard #5: An educator maintains integrity regarding the acceptance of any gratuity, gift, 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.

Resolution:

- Upon being notified that an investigation of the matter had been authorized by the Subcommittee, the educator voluntarily surrendered his license, which resulted in a Permanent Revocation of the license by the State Board.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Read excerpts from an e-mail message received from a parent containing specific and detailed health-related information regarding a student to students in her classroom, which not only was in violation of FERPA rules, but was alarming to the students to whom she disclosed the information.

Standard Alleged Violated:

Standard #6: An educator keeps in confidence information about students and colleagues obtained in the course of professional service, including secure standardized test materials and results, unless disclosure serves a professional purpose or is allowed or required by law.

Allegations and Resolutions

Results of Investigation:

- The investigation substantiated the allegation.

Resolution:

- The State Board issued the educator a Written Warning and ordered her to receive FERPA training.

Results in Similar Cases

Investigation Revealed:

- An educator asked a special education student in front of other students if he wasn't supposed to have an aide, since he was a special education student, and when the student responded that he did not know, the educator read a message aloud in front of the class which had been sent to him on his phone concerning the student and his needs. (Standards 1 and 6)

Resolution:

- The State Board issued the educator a Written Reprimand and assessed a fine of $50.

Standard 6 Testing Violations and Resolutions

Standard #6: An educator keeps in confidence information about students and colleagues obtained in the course of professional service, including secure standardized test materials and results, unless disclosure serves a professional purpose or is allowed or required by law.

Standard 6 Testing Violations and Resolutions

Allegation: An educator had early access to sight reading assessments and provided them to her music students in advance of the competition in order to give her students an unfair advantage over others against whom her students were competing.

Resolution: The State Board placed her license on Probation for 1 year and assessed a $75 fine.

Allegation: An educator, without thinking, revealed the topic for the writing test prompt from the Benchmark Exam on her personal Facebook account after that day's test session.

Resolution: The State Board issued a Written Warning.

Standard 6 Testing Violations and Resolutions

Allegation: An educator gave hints to students regarding problems they were struggling with as she passed by them, read two to three definitions of terms the students did not know from the Geometry book, and ran her fingers across several questions and answers on students' tests.

Resolution: The State Board issued a Written Reprimand and assessed a $50 fine.

Allegation: An educator allowed students to utilize their textbooks in completing an exam, allowed students to assist each other with answers while taking the exam, and provided answers to students during the exam.

Resolution: The State Board placed the educator's license on Probation for 2 years and assessed a $75 fine.

Standard 6 Testing Violations and Resolutions

Allegation: An educator looked at a student's test and told the student that she needed to "read this again", prompting the student to "fix" her answers, when requested to erase an answer by a student, told the student, "No, I'm not going to erase that, trust me, you're okay", looked at students' test booklets after the reading section and told them to look at a particular page again, failed to cover items on the classroom walls, and accessed the internet on her cellular telephone during the test and showed the monitor a current news article.

Resolution: The State Board placed the educator's license on Probation for a period of 1 year and assessed a fine of $75.

Allegations and Resolutions

Allegation:

The complainant alleged that the educator:

- Was in possession of an unauthorized prescription controlled substance on school premises.

Standard Alleged Violated:

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.

Allegations and Resolutions

Results of Investigation:

- The investigation revealed that the educator had removed a prescription drug from another educator's purse without permission and used it. The other educator had previously provided the drug to the educator on occasion, when requested.

Resolution:

- The State Board issued the educator a Written Reprimand and assessed a $50 fine.

Results in Similar Cases

Investigation Revealed:

- The educator arrived at school under the influence of alcohol and/or drugs. When questioned by the principal, advised she was on new medication and produced several drugs she allegedly had taken. She consented to a search of her car, where the principal and SRO found an empty beer can and a receipt showing a purchase of the beer and a bottle of whiskey at 7:19 a.m. that morning. When asked by the principal in the school office about the whiskey, pulled the bottle from her purse. (Standard 7)

- The investigation further revealed that the educator had a prior incident involving being under the influence of alcohol at another school.

Results in Similar Cases

Resolution:

- The State Board ordered that the educator's license be Suspended for a period of 2 years and assessed a $100 fine. In addition, the State Board imposed conditions for the re-instatement of the educator's license, to include a release from a licensed counselor, psychologist, psychiatrist, or clinical social worker whose practice or specialization is in drug and alcohol treatment, that the educator has established a pattern of compliance with treatment recommendations and remains free from alcohol and/or substance abuse, and is sufficiently able to take on the responsibilities of returning to full time employment in a classroom environment without jeopardizing students.

Results in Similar Cases

Investigation Revealed:

- While on a school-sponsored trip and responsible for students on his team, an educator drank alcohol in the presence of students and their parents, and while the students were under his supervision, failed to prevent them from consuming alcohol at their hotel.

  (Standards 1 and 7)

Resolution:

- The State Board placed the educator's license on Probation for a period of 2 years and assessed a $75 fine.

Questions?