

**Arkansas Department of Education  
Professional Licensure Standards Board (PLSB)  
Friday, March 08, 2013**

A meeting of the Professional Licensure Standards Board was held in the PLSB large conference room at #1 Capitol Mall, Little Rock, AR, on March 08, 2013. Members of the Board present were Evelyn Thrower, Marion Sibert, Dr. Mitch Holifield, Jo Vines, Brenda Brown, Kathy Howell, Michael Poore, Don McGohan, Dr. Brad Baine, Dr. Tom Smith and Dr. Karen Cushman. Guests in attendance were Donnie Matthews-DIS, Max Kolstad-DIS, Jeanne Jones-ADHE and Donna Morey-AEA. ADE staff members in attendance were Michael Rowland, Michael Smith, Tameka Parker and Katherine Donovan. Members of the Board absent were: Dr. John Jones, Debbie Miller and Randy Willison.

The board consisted of ten (10) voting members and one (1) non-voting member, representing a quorum.

1. **Call to Order:** The meeting was called to order by Mr. McGohan, chairman.
2. **Approval of the Previous Minutes: January 11, 2013:** Dr. Holifield made a motion to accept the minutes as written, seconded by Ms. Brown, motion passed 9/0.
3. **Financial Report – \$2,188,720.70:** After, a review if the financial report Dr. Smith made a motion to accept the report, seconded by Ms. Howell, motion passed 9/0.
4. **Praxis 1 cut Score – Michael Rowland:** Mr. Rowland presented the board with a handout. After a brief summary and discussion by the Board, Ms. Howell made a motion to accept the proposed recommended cut scores, seconded by Ms. Brown, motion passed 10/0.
  - a) Reading: 156
  - b) Writing: 162
  - c) Mathematics: 150
5. **Installation of video equipment in conference room – Donnie Matthews & Max Kolstad:** Mr. Matthews provided the Board with three handouts for review and discussion on the video equipment installation. After a brief summary of each quote Dr. Holifield made a motion to accept the proposed bid of Presidio for the video equipment installation and that the state department seeks bids for carpentry renovations, seconded by Ms. Howell, motion passed 10/0.
6. **Revisions to the Standards – Code of Ethics:** Dr. Holifield provided the board with a revised copy of the Code of Ethics with suggested changes for review and discussion. (The wording for the standards are in bold type and the wording for the explanation to be amended in the appendices is in regular type)

**Standard 1     An educator maintains a professional relationship with each student, both in and outside the classroom.** 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. The professional relationship with students is such behavior and action, which promotes at all times the mental, emotional, and physical health and safety of students. An educator should show respect for and not demean, embarrass, or harass students absent some reasonable educational or disciplinary purpose and never as prohibited by law. A professional relationship is one where the

educator maintains a position of educator/student authority with students even while expressing concern, empathy, and encouragement for students. In that position of authority, an educator may nurture the student's intellectual, physical, emotional, social and civic potential. An educator 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/her professional practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his/her organizational position.** This standard addresses the professional educator's obligation to implement best practices and maintain competence in skills and knowledge. An educator has many responsibilities and 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. The professional educator shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, (a) unfairly exclude any colleague and/or student from participation in any program, or (b) deny benefits, and/or grant any advantage to any student and/or colleague. Furthermore, the educators shall not intentionally or knowingly misrepresent facts and/or make false or malicious statements about a student, parent/guardian, colleague, or the school system.

**Standard 3**     **An educator honestly fulfills reporting obligations associated with professional practices.** 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. To uphold this standard an educator should be honest when 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. Honestly reporting grades is also a part of this standard. It is also important that an educator honor this standard when 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. Similarly the failure to timely submit information covers those situations where there is a knowing failure to submit or provide information. The State Board of Education may take direct action to revoke, suspend, or place on probation an educator whose conduct violates Ark. Code Ann. § 6-17-410(d)(1)(A)(vii) and (viii) without submission of an ethics complaint. It is important to note that noncompliance with mandated child abuse reporting laws also falls with this standard.

**Standard 4**     **An educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.** An educator must be a good steward of public funds, personnel and property dedicated to school related purposes. The use and accounting for these resources under the educator's control must comply with state and federal laws that regulate the use of public funds and property. The 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 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.** The 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. The standard of conduct called for by this section 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; and the relationship between the educator and the person from whom the gratuity, gift, compensation, or favor comes. Pursuant to Ark. Code Ann. § 6-24-113 an educator may accept awards and grants as provided for therein. Ark. Code Ann. § 6-24-112 contains some specific prohibited transactions involving gratuities or offers of employment. The second part of this standard requires that the educator does not use the position for personal gain.
- Standard 6** **An educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures.** When standardized tests are administered, educators should maintain the confidentiality of those parts of the 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. Supervisors may be entitled to access to other educators’ personnel records and should maintain the confidentiality of those records. Educators should be reminded that this standard is in addition to conduct prohibited under Ark. Code Ann. §§ 6-15-438, 6-17-410(d)(1)(A)(iii) 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 keeps in confidence information about students and colleagues obtained in the course of professional services unless disclosure serves a professional purpose or is allowed or required by law.** At times educators are entitled to and/or for professional reasons need access to certain student records as well as other educators’ 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. The Federal Education Rights and Privacy Act (FERPA) addresses the confidentiality of certain student records. Such federal and state laws permit disclosure of some student information and restrict the disclosure of other student information. Educators should respect and comply with these and other similar confidentiality laws. 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. Similarly,

educators should not disclose confidential information about colleagues unless the disclosure serves some legitimate professional purpose as allowed or required by law. Educators shall not knowingly make any false or malicious statement about a colleague.

**Standard 8** **An educator refrains from using, possessing and/or being under the influence of alcohol, tobacco, or unauthorized drugs/substances and/or possessing items prohibited by law while on school premises or at school-sponsored activities involving students.** This standard sets forth the expectation of the professional educator concerning using, possessing, or being under the influence of the listed substances while on school premises or at school-sponsored activities involving students or being in violation of state law governing the using, possessing or being under the influence of alcohol, tobacco, or unauthorized/illegal drugs/substances while on school property or at school-sponsored activities involving students.

Ms. Howell had a motion to approve the revised Code of Ethics document, without the statement at the end of Standard 2, seconded by Ms. Brown, motion passed 10/0.

Ms. Howell made a motion to send the PLSB fee changes (reducing the licensure renewal fee to \$75 beginning July 1, 2013) to the SBOE for approval, seconded by Ms. Brown, motion passed 10/0.

7. **Use of PLSB fund balance:** Use of funds will reviewed periodically
8. **Expiring Terms 6/30/13– PLSB Members:** Don McGohan, Dr. John Jones, Dr. Tom Smith, Ms. Marion Sibert and Ms. Kathy Howell. Dr. Holifield will not be returning. Staff attorney Ms. Donovan is resigning.
9. **Photo on PLSB website:** Dr. Holifield made a motion to keep the PLSB members photos on the website, seconded by Dr. Baine, motion passed 9/1.
10. **Legislative Update – Don McGohan:**
  - a) **HB1590:** AN ACT TO REQUIRE A PERSON APPLYING FOR AN ELEMENTARY-LEVEL GENERAL TEACHING LICENSE OR AN ELEMENTARY-LEVEL SPECIAL EDUCATION TEACHING LICENSE TO SUCCESSFULLY PASS FOUNDATIONS OF READING TEST AND THE GENERAL CURRICULUM TEST OF THE MASSACHUSETTS TESTS FOR EDUCATIONAL LICENSURE AS A CONDITION OF LICENSURE; AND FOR OTHER PURPOSES. Dr. Baine made a motion that the PLSB provide feedback in opposition of HB1590, seconded by Ms. Vines, motion passed 10/0.
  - b) **SB456:** AN ACT TO AMEND ARKANSAS LAWS GOVERNING EDUCATOR LICENSURE; AND FOR OTHER PURPOSES.
  - c) **SB457:** AN ACT TO AMEND ARKANSAS LAWS GOVERNING BACKGROUND CHECKS FOR EDUCATORS, FISCAL OFFICERS, NONLICENSED SCHOOL DISTRICT STAFF, AND STUDENT TEACHERS; AND FOR OTHER PURPOSES.

- d) **SB518:** AN ACT TO AMEND THE MEMBERSHIP OF THE PROFESSIONAL LICENSURE STANDARDS BOARD; AND FOR OTHER PURPOSES.
  
- e) **SB829:** AN ACT TO IMPLEMENT THE STATUTORY CHANGES RECOMMENDED BY THE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN; TO CLARIFY WHO IS A MANDATED REPORTER; TO CLARIFY CRIMINAL STATUTES CONCERNING SEXUAL ASSAULT IN THE SECOND, THIRD, AND FOURTH DEGREE, CHILDREN ENGAGED IN SEXUALLY EXPLICIT CONDUCT FOR USE IN VISUAL OR PRINT MEDIUM, AND THE POSSESSION OF SEXUALLY EXPLICIT DIGITAL MATERIAL; TO MODIFY THE REQUIREMENTS FOR A CHILD ABUSE PREVENTION CURRICULUM; TO MAKE CHANGES TO THE CHILD MALTREATMENT ACT, INCLUDING THE UNLAWFUL RESTRICTION OF CHILD ABUSE REPORTING AND MANDATED REPORTERS; AND FOR OTHER PURPOSES.

**11. Other items:**

Meeting adjourned.

**Next meeting date: Friday, June 14, 2013, time 9:00-1:00 in the PLSB Presidential meeting room (regular meeting location).**