

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
DECEMBER 8, 2016**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
IN RE JEREMY JASON DERKOVITZ, PLSB CASE NO. 16-143**

At its regular meeting on December 8, 2016, the Arkansas State Board of Education (“Board”) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (“Ethics Subcommittee”) for disciplinary action against the teaching license of Jeremy Jason Derkovitz (“Educator Derkovitz”). Based upon Educator Derkovitz’s failure to respond to the Ethics Subcommittee’s recommendation and the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. § 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact:

- a. The Arkansas Department of Education issued Educator Derkovitz has a standard five-year license issued on July 1, 2015, valid through December 31, 2019.
- b. The Ethics Subcommittee received an allegation that Educator Derkovitz violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (“Code of Ethics”) promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. On May 6, 2016, the Ethics Subcommittee authorized an investigation into the allegation that Educator Derkovitz violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On May 16, 2016, Educator Derkovitz was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

e. On October 7, 2016, after considering the investigator's report and evidence, the Ethics Subcommittee unanimously found reasonable belief that Educator Derkovitz violated Standard 1 when he:

- Inappropriately interacted with one or more students on social media and/or by phone.
- Took a picture of a student doing a yoga pose without having a school/education related purpose for doing so.

The Ethics Subcommittee recommended that the Board issue Educator Derkovitz a written warning; require him to complete training through the ArkansasIDEAS online portal, specifically, TCC14435 *Professional Licensure Standards Board (PLSB): Social Media Guidelines*; and TCC14436 *Professional Licensure Standards Board (PLSB): Digital Citizenship Curricula K-12*; require a written reflection on each course to the PLSB office, addressing how the training will impact his future interaction with students; require the courses and written reflections to be completed within sixty (60) days of the Board's final order; and Educator Derkovitz is responsible for all associated costs. The training will be in addition to any training required by the Arkansas Department of Education or the school district.

f. On October 11, 2016, Educator Derkovitz was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.

g. Educator Derkovitz did not respond to the Ethics Subcommittee's recommendation within the required time, thereby waiving his right to any further notice, hearing, or any other rights he might have under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.

h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

II. Conclusions of Law:

- a. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428, and 25-15-201 et seq., and the Code of Ethics, the Board adopts the Ethics Subcommittee's recommendation.
- b. Accordingly, the Board admonishes Educator Derkovitz for his violation of the Code of Ethics, issues a written warning; requires him to complete training through the ArkansasIDEAS online portal, specifically, TCC14435 *Professional Licensure Standards Board (PLSB): Social Media Guidelines*; and TCC14436 *Professional Licensure Standards Board (PLSB): Digital Citizenship Curricula K-12*; requires a written reflection on each course to the PLSB office addressing how the training will impact his future interaction with students; requires the courses and written reflections to be completed within sixty (60) days of the Board's final order; and Educator Derkovitz is responsible for all associated costs. The training will be in addition to any training required by the Arkansas Department of Education or the school district.
- d. This order shall remain for two (2) years in Educator Derkovitz's professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Mireya Reith, Chair
Arkansas State Board of Education