

**STANDARD 5:** An educator maintains integrity regarding the acceptance of gratuity, gifts, compensation, or favors that might impair or appear to influence professional decisions or actions and shall refrain from using the educator's position for personal gain.

Examples include, but are not limited to: Concert/Sporting event tickets, gift cards for excessive amounts, or services such as landscaping.

**STANDARD 6:** An educator keeps in confidence secure standardized test materials and results, and maintains integrity regarding test administration procedures.

Examples include, but are not limited to: Leaving students or test materials unattended, copying information from the test materials, or testing family members.

**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.

Examples include, but are not limited to: Inappropriately discussing a student's IEP outside of the student's team that serves no educational purpose, discussing test scores/grades/assignments with other students, discussing colleague information to students and/or other colleagues.

**STANDARD 8:** An educator, while on school premises or at school-sponsored activities involving students, refrains from:

- a) using, possessing, and/or being under the influence of alcohol or unauthorized drugs/substances, and/or possessing items prohibited by law, or
- b) possessing or using tobacco or tobacco-related products, e-cigarettes, e-liquid or vapor products, or
- c) abusing/misusing prescription medications or other authorized substances as evidenced by impairment.

Examples include, but are not limited to: Smoking and/or dipping, abuse/misuse of prescribed medication on school property or school-sponsored events, purchasing drugs for/from a student, or vaping.

The Professional Licensure Standards Board is student focused in all of their decision making.

The Code of Ethics for Arkansas Educators assists current and prospective educators in becoming knowledgeable of how their professional decision making affects the well-being and safety of students while supporting the culture and mission of their school.

The Code of Ethics for Arkansas Educators holds educators accountable to a high standard of professionalism both inside and outside of the classroom.

The Professional Licensure Standards Board values the integrity of educators and their contributions ensuring every student graduates prepared for college, career, and community engagement.



For Further Questions or to Schedule a Training:

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Arkansased.gov → Divisions → Educator Effectiveness → Professional Licensure Standards Board

# Code of Ethics for Arkansas Educators

Student Focused ♦ Integrity ♦ Professionalism ♦ Knowledge



## Professional Licensure Standards Board



Revised September 2020

**STANDARD 1:** An educator maintains a professional relationship with each student, both in and outside of the classroom.

Examples include, but are not limited to: Verbal and/or physical contact with a student, sexual abuse of a student as it applies to a caretaker, inappropriate communication with a student via social media and/or any electronic communication, cursing, embarrassing and/or bullying a student, or drinking and/or using drugs in front of students.

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

Examples include, but are not limited to: Leaving your class unattended, failing to check your school bus after you think you have dropped off all students, failing to follow district policies, not following a student's IEP, failing to obtain professional development hours, or showing up to work under the influence of alcohol and/or drugs.

**STANDARD 3:** An educator honestly fulfills reporting obligations associated with professional practices.

Examples include, but are not limited to: Falsifying the reporting of grades, failing to report child maltreatment to the DHS Hotline as a mandated reporter, falsifying grant information to obtain money and/or equipment fraudulently, knowingly playing an ineligible player during an athletic event, falsifying teacher of record, falsifying student information so the student will be eligible for scholarships, or falsifying travel reimbursements.

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

Examples include, but are not limited to: Stealing money from a school fundraiser, using your school district issued laptop inappropriately, using the school driver's education vehicle for inappropriate purposes, using school equipment that the school has rented and/or purchased for a home renovation project, stealing any school supplies and/or food, or failing to keep proper financial documentation/receipts for the band and having sole access to the fund.

# Frequently Asked Questions

## What are the Code of Ethics?

The Code of Ethics is designed as a model of minimum standards for maintaining the public’s respect for, and support of, educators. It is not intended to regulate the employer/employee or contract relationship between any public school district and its educators.

The Code of Ethics is an overarching and superior set of standards and rules intended to establish and contribute to the development and maintenance of a supportive student-focused learning community that values and promotes human dignity, fairness, care, the greater good, and individual rights.

## Who must adhere to the Code of Ethics?

All educators, whether licensed, employed under a legal waiver from licensure, or a preservice educator who is assigned to a school as a student intern must adhere to the Code of Ethics. (Act 564 of 2017 and Act 1090 of 2015)

## Who can report a possible ethics violation?

Anyone can file an allegation form with the Professional Licensure Standards Board. An allegation form can be obtained on the Arkansas Department of Education website, [dese.ade.arkansas.gov](http://dese.ade.arkansas.gov).

## Can an allegation be filed anonymously?

No, we do not accept allegations that do not have a signed, original signature on the form. If an allegation is authorized, the educator will receive a redacted copy of the allegation form. The individual’s name who filed the complaint will be viewable to the educator. However, all contact and student information is redacted from the form.

## When is filing an allegation required?

Under PLSB rule 10.01-10.02, “A supervisor at an Arkansas public educational setting shall file an ethics complaint if he or she observes or has reasonable cause to suspect that an educator has violated Standard 1 involving the sexual abuse of a student. The failure to submit an ethics complaint under this section is a violation of Standard 3.

## What type of information should be included with the complaint?

The allegation should contain any and all information. The Ethics Subcommittee bases their decision for the authorization of an investigation on the supporting documentation submitted.

## Can an allegation be withdrawn once filed?

Once the PLSB has received and validated an allegation, it cannot be withdrawn. The person who submitted the complaint may provide a written statement to the Ethics Subcommittee expressing their desire to withdraw the complaint and the request will be taken into consideration.

## Can I be friends with a student on social media?

Teachers must maintain a professional relationship with students “both in and outside” of the classroom. This includes interactions via social media apps such as Facebook, Instagram, Twitter, and SnapChat. The PLSB strongly discourages teachers from “friending” and/or “following” their students on social media.

## When must I report to the Child Abuse Hotline?

Under A.C.A. § 12-18-402, “An individual listed as a mandated reporter under subsection (b) of this section shall ***immediately*** notify the Child Abuse Hotline, at 1-800-SAVE-A-CHILD, if he or she:

(1) Has reasonable cause to suspect that a child has:

- (A) Been subjected to child maltreatment; or
- (B) Died as a result of child maltreatment; or

(2) Observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment.”

## What information must an educator keep confidential?

Under the Family Educational Rights and Privacy Act (FERPA) all student records are protected, including, but not limited to, report cards, transcripts, disciplinary records, family information, and class schedules. The student’s legal guardian is the only individual who can obtain this information until the student has reached an age of 18.

# Investigative Process

## Step 1: Notification of Investigation

After an allegation is authorized, both the complainant and the educator will receive notification of the investigation in the mail. An investigator will be assigned the case and contact both the complainant and educator within 10 business days of authorization.

## Step 2: Interviews

The investigator will interview all individuals who have first-hand knowledge of the events. Investigators do not typically interview those individuals who are only providing a character reference; however, an accused educator may have those individuals submit a character reference letter directly to the investigator. These letters will be attached as a supporting document to the Final Report of investigation.

## Step 3: Final Report

After all interviews have been conducted, the investigator will complete a Final Report of the investigation. This report details all interview findings of the investigation and lists all documents that were collected during the course of the investigation. The accused educator is the only person who receives a copy of this report. He or she has 30 days to respond to that final report before it goes before the Ethics Subcommittee for initial determination and recommendation.

## Step 4: Initial Determination and Recommendation

Based on preponderance of the evidence (51% more likely than not) the Ethics Subcommittee determines whether the alleged conduct occurred. The Ethics Subcommittee reviews all information collected during the course of the investigation and asks the investigator any clarifying questions that they may have.

If no preponderance of the evidence is found, the case file is closed. The accused educator and the complainant will receive a letter in the mail stating the Ethics Subcommittee found no preponderance of the evidence.

If the Ethics Subcommittee finds that preponderance of the evidence does exist, they will recommend one of the following sanctions:

- **Letter of Caution** – A private reprimand issued to an educator by the Ethics Subcommittee. A letter of caution closes the file and will remain in the files retained by the PLSB.
- **Written Reprimand** – A written admonishment from the State Board of Education to the educator for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action. The reprimand is accompanied by a fine up to \$100 and shall remain in the educator’s file retained by the PLSB.
- **Probation** – The placing of conditions, requirements, or circumstances on the status of an educator’s license by the State Board of Education for a period of time. The probation will remain permanently in the DESE file of the educator and in the files retained by the PLSB. The probation is accompanied by a fine up to \$250.
- **Suspension** – The temporary invalidation of any license for a period of time specified by the State Board of Education. The suspension will remain permanently in the DESE file of the educator and in the files retained by the PLSB. The suspension is accompanied by a fine up to \$500.
- **Revocation** – The permanent invalidation of an educator’s license. There is no reinstatement of a license after permanent revocation. The revocation is accompanied by a fine of \$500.

Any sanction may also be accompanied by trainings or a rehabilitation program with all associated costs being paid for by the educator.

## Step 5: Recommendation Acceptance or Rejection

If the Ethics Subcommittee recommends a sanction, the educator has 30 days to accept or reject the recommendation. If accepted or no response is received, the case will be placed on the consent agenda for the State Board of Education’s review.

If rejected, the educator will be contacted by the PLSB attorney to schedule an evidentiary hearing. At the hearing, both the educator and PLSB attorney can call witnesses and present evidence to support their side of the issue.