

## **Code of Ethics for Arkansas Educators**

### **Additional Comments and Responses to Frequently Asked Questions (FAQs) from the Professional Licensure Standards Board**

Revised February 27, 2015

The Professional Licensure Standards Board (PLSB) compiled these comments from the many questions and concerns expressed during in-service training since the Code of Ethics for Arkansas Educators became effective on September 1, 2008. These comments and responses to FAQs are only guidelines. The PLSB cannot and will not make definitive statements about all scenarios due to the unique situations and varied facts which apply to an incident. These FAQs are advisory only and are not binding upon the PLSB, the Arkansas Department of Education (ADE) or the Arkansas State Board of Education.

#### **General Comments:**

How does an educator know if an action is or is not a violation? Go to the Rules Governing the Code of Ethics for Arkansas Educators and carefully read each Standard and Appendix C. This should help any educator whenever there is a question about the intent of a standard.

Several questions similar to the following have been asked: “Are coaches to adhere to the Code of Ethics in their role as a coach?” Yes. Licensed educators are to adhere to the Code of Ethics in all roles: classroom teacher, administrator, club sponsor, bus driver, and coach at a game or on a practice field.

Can anyone report an allegation of a violation of the Code of Ethics? Yes. A form developed to report Allegations of Violations of Code of Ethics can be accessed on the Ethics for Arkansas Educators page of the ADE Website.

Educators are encouraged to trust the wisdom and integrity of the educators on the PLSB Ethics Subcommittee to review allegations. Some situations are resolved at the local level and no reporting to the PLSB may be warranted. In those cases that are filed with the PLSB, the members of the Ethics Subcommittee will review the facts to determine if there is an ethical violation by the educator against whom the allegation is made.

#### **Standard 1:**

What about rewards and incentives for students? Standard #1 does not prohibit rewards and incentives for students. Educators cannot make everything equal for all students.

Does it make a difference if a teacher has a relationship with a student if the student is eighteen (18)? The law and the rules define a student for the purpose of the Code of Ethics as a PreK-12 student. Therefore, regardless of fact that the PreK-12 student is 18 years of age, it is a violation of the standard and the law.

There have been many questions about educators communicating with students via social media or text messaging. Standard #1 demands a professional relationship with students both in and outside of the classroom regardless of whether technology is used. The PLSB recommends that educators review the Recommendations and Regarding the Educational Applications of Social-Networking Technology Issued by the Arkansas Professional Licensure Standards Board, also available on the Ethics for Arkansas Educators page on the ADE Website.

### **Standard 3:**

The Code of Ethics does not address any leave policies of schools or school districts but is concerned with the educator's honesty in the reporting of leave.

### **Standard 5:**

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. There have been many questions about "tutoring students." The Code of Ethics does not prohibit educators from tutoring students, offering dance/piano lessons, teaching/coaching gymnastics, little league baseball or sponsoring summer music or athletic camps unless there is "a conflict of interest" and students are *required or coerced* to participate.

### **Standard 8:**

What if the school/district has a special concert/event and a private or civic group in the community hosts a reception which serves wine and cheese after the event? This reception will be held "off campus" and all attendees of the concert are invited. Will an educator, who drinks wine at the reception, be in violation of the Code of Ethics if some of his/her students are also present? The PLSB does not believe that this would be a violation for the following reasons: the reception is not on school property, not a school-sponsored event, the educator is not responsible for the students, and the educator does not drink to excess in the presence of the students. However, if any of those considerations change, then the response to this particular situation may also be different.

Educators who are arrested for a DUI or DWI when not on school time, not in a school district vehicle, not on school district property, or not with students are probably not in violation of the Code of Ethics.

It has come to the attention of the PLSB that there are many Arkansas educators who have either contracts or permission from the district to live in school district housing, whether home, apartment, duplex, etc. In these situations where the living quarter of the educator is also school district property, the PLSB will yield to the contract or agreement with the parties regarding the possession and use of alcohol on the property or in the home. The educator has been given permission to reside in this dwelling as their home. A.C.A. § 6-21-609 addresses the use of tobacco on property owned or leased by a school district, and therefore the PLSB must abide by that statute.

Educators who knowingly furnish alcohol, drugs or tobacco products to PreK-12 students or who in other ways facilitate the student's use of tobacco, drugs or alcohol violate the Code of Ethics.