

Code of Ethics for Arkansas Educators
Additional Comments and Responses to Frequently Asked Questions (FAQs) from the
Professional Licensure Standards Board

October 10, 2008

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 Board 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 Professional Licensure Standards Board, the Arkansas Department of Education or the Arkansas State Board of Education.

General Comments:

1. 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.
2. 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.
3. Can anyone report an allegation of a violation of the Code of Ethics? Yes, but only the four educational entities mentioned in the law and the rules may report an allegation to the PLSB. A form developed to report Allegations of Violations of Code of Ethics can be accessed on the Arkansas Department of Education Website at: www.arkansased.org/standards_board/index.html
4. All educators are encouraged to trust the wisdom and integrity of the empowered educators on the PLSB subcommittee to review all allegations. In the PowerPoint, there were four (4) case studies (#2, #5, #7 and #8) which state that while educator may have violated the Code of Ethics, the administration was encouraged to “counsel the educator and if this action continues, it should warrant a complaint.” These situations are often resolved at the local level and no reporting to the PLSB may be warranted. The language in the first paragraph of Appendix A, states that validated allegations “may be filed” with the PLSB. In those cases which are filed with the PLSB, the members of the subcommittee will review the facts to determine if there is a “pattern of behavior” by the educator against whom the allegation is made.

Standard 1:

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. The reward in the case study about “lockers,” where advanced students are awarded the top lockers for the school year, was deemed as a violation because there was an appearance that the students were labeled and the reward was prolonged for an entire school year.

2. 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 K-12 student. Therefore, regardless of fact that the K-12 student is 18 years of age, it is a violation of the standard and the law.
3. There have been many questions about educators communicating with students via blogs, My Space, You Tube, Facebook or text messaging. Standard #1 demands a professional relationship with students both in and outside of the classroom regardless of which technology, if any, is used.

Standard 4:

1. The case study regarding “leave” has also generated several questions. The Code of Ethics does not address any leave policies of schools or school districts but is concerned with the honesty in the reporting of leave.

Standard 5:

1. 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. 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.

Standard 7:

1. 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 attends the wine and cheese reception, be in violation of the Code of Ethics if some of his/her students are also present? This is similar to the Pizza Parlor case study in the PowerPoint. The Board 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 and the educators are not responsible for the students. However, if any of those three considerations change, then the response to this particular situation may also be different.
2. Educators, who are arrested for a DUI or DWI when not on school time, in a school district vehicle, on school district property or with students, are probably not in violation of the Code of Ethics.
3. It has come to the attention of the Board 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 Board 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 school property and therefore the PLSB must abide by that statute.
4. Educators who knowingly furnish alcohol to K-12 students or who in other ways “contribute to the delinquency of a minor” by facilitating the student’s use of tobacco, drugs or alcohol violate the Code of Ethics.