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**ARKANSAS TECH UNIVERSITY**  
**COLLEGE OF EDUCATION AND HEALTH**  
**TEACHING INTERNSHIP (INTERNSHIP II) HANDBOOK**

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# Table of Contents

<b>PART 1</b> .....	<b>1</b>
INTRODUCTION .....	1
THE GOALS AND OBJECTIVES OF THE INTERNSHIP (INTERNSHIP II) EXPERIENCE .....	2
TERMS YOU SHOULD KNOW .....	3
DESCRIPTION OF THE INTERNSHIP EXPERIENCE .....	6
CLINICAL EXPERIENCE AGREEMENT .....	7
RESPONSIBILITIES OF THE UNIVERSITY .....	8
RESPONSIBILITIES OF THE PUBLIC SCHOOLS .....	8
<b>EVIDENCE REQUIRED TO APPLY FOR AN INITIAL ARKANSAS LICENSE</b> .....	<b>10</b>
ARKANSAS EDUCATOR LICENSURE SYSTEM (AELS) BACKGROUND CHECK.....	10
ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING THE CODE OF ETHICS FOR ARKANSAS EDUCATORS.....	11
1.00 TITLE.....	11
2.00 REGULATORY AUTHORITY.....	11
3.00 PURPOSE.....	11
4.00 APPLICABILITY .....	11
5.00 DEFINITIONS .....	12
6.00 THE CODE OF ETHICS FOR ARKANSAS EDUCATORS .....	18
8.00 FINES AND FEES .....	20
9.00 DISCLOSURE OF RECORDS .....	21
10.00 MANDATORY FILING OF ALLEGATION AND ETHICS VIOLATIONS REVIEW .....	23
11.00 PROCEDURES FOR THE INVESTIGATION OF AN ETHICS COMPLAINT.....	23
11.05 ACTION BY THE PLSB ETHICS SUBCOMMITTEE – .....	25
11.06 COMPLETION OF THE INVESTIGATION – .....	26
12.00 PROCEDURES FOR THE INITIAL DETERMINATION AND RECOMMENDATION OF THE ETHICS SUBCOMMITTEE .....	28
12.02 NOTICE TO THE EDUCATOR – .....	29
12.03 EDUCATOR’S RESPONSE - .....	29
13.00 MOTIONS BEFORE THE ETHICS SUBCOMMITTEE OR ETHICS HEARING SUBCOMMITTEE.....	30
14.00 EVIDENTIARY HEARINGS.....	30
14.02 HEARING PROCEDURES. ....	31
14.04 EDUCATOR’S REQUEST FOR STATE BOARD REVIEW .....	34
15.00 SUBPOENAS .....	34
16.00 STATE BOARD REVIEW.....	36
16.03 WRITTEN OBJECTIONS AND BRIEFS .....	37
16.04 ORAL ARGUMENT; TESTIMONY.....	38
16.05 TESTIMONY.....	39
16.06 ORDER; FINDINGS .....	39
16.07 NOTICES.....	39
17.00 APPEAL TO CIRCUIT COURT.....	40
<b>SUMMARY OF TIMELINE FOR THE ETHICS COMPLAINT PROCESS</b> .....	<b>40</b>

**EXPLANATIONS AND GUIDANCE TO CLARIFY THE INTENT OF THE CODE OF ETHICS..... 43**

**PART 2 ..... 49**

**ROLES AND RESPONSIBILITIES ..... 49**  
**ROLE OF THE INTERN ..... 49**  
**ROLES OF MENTOR TEACHERS: COHORT SUPERVISOR OR FIELD-BASED SUPERVISOR..... 50**  
**ROLES OF CAMPUS-BASED SUPERVISOR AND DIRECTOR OF TEACHER EDUCATION STUDENT SERVICES ..... 52**  
**ROLES OF THE DIRECTOR OF TEACHER EDUCATION STUDENT SERVICES ..... 53**  
**ROLES OF OTHER PROFESSIONALS INVOLVED IN THE INTERNSHIP EXPERIENCE ..... 54**

**PART 3 ..... 56**

**EVALUATION ..... 56**  
**EVALUATION OF THE INTERN ..... 56**  
**INTERN GRADES ..... 57**  
**STUDENT INTERNSHIP FORMATIVE OBSERVATION FORM ..... 58**  
**THE EXIT PORTFOLIO ..... 57**

## **PART 1**

### ***Introduction***

Welcome to Internship (Internship II clinical experience)!

The College of Education and Health congratulates you on the completion of requirements for admission to internship and welcomes you to this clinical experience. This experience is one of the most important and profitable experiences in your professional development. It is a time for demonstrating the skills that you have gained while completing your program; but, most importantly, this is the time to deepen your understanding of the value of these skills and move from the role of candidate to that of Professional of the 21<sup>st</sup> Century.

Internship is part of the pre-service education program in which the prospective teacher works full time in a cooperating school with a capable mentor teacher. The period of internship is considered by many to be the most vital phase of professional development for pre-service teachers. This handbook provides information essential to your success. Be sure to keep it for reference throughout your experience. You are expected to make practical use of the principles, methods, knowledge, and materials that you have developed or acquired in previous course work.

Your experience takes place in a carefully selected school under the immediate supervision of a mentor teacher selected according to specific criteria. As outlined in this handbook, you will assume increasing responsibility throughout the semester for working with individuals and groups of students in classroom teaching situations. All interns are observed, monitored, and evaluated by the College of Education and Health. Additionally, some secondary interns have supervision from a content-area supervisor in their major discipline.

During the internship you will complete requirements for licensure as well as for graduation. You will take the Praxis II Principles of Learning and Teaching and will need to demonstrate that you have completed the Criminal Background Check required by Arkansas Law. The following is a list of who you should contact should you have any questions or concerns about your experience.

- Your Field-based Supervisor (Mentor Teacher) or Cohort Supervisor (Cohort Mentor Teacher)
- Your Campus-based Supervisor (Assigned to Non-Cohort interns early in the semester)
- Your Exit Portfolio Reviewer (Questions about preparation of the Exit Portfolio)

➤ Director of Teacher Education Student Services – Ms. Veronica Scott

[vscott@atu.edu](mailto:vscott@atu.edu) · 479-968-0290 · fax 479-964-0508

Arkansas Tech University - Crabaugh 109

1310 N El Paso Avenue, Russellville, AR 72801

➤ Director of Teacher Licensure and Support Services – Dr. David Bell

[dbell@atu.edu](mailto:dbell@atu.edu) · 479-964-0583 ext. 2350 · 479-964-0811

Arkansas Tech University – Crabaugh 308

1310 N El Paso Avenue, Russellville, AR 72801

➤ Associate Dean of the College of Education and Health – Dr. Tim Carter

[tcarter@atu.edu](mailto:tcarter@atu.edu) · 479-968-0290 · fax 479-964-0508

Arkansas Tech University - Crabaugh 212

1310 N El Paso Avenue, Russellville, AR 72801

### ***The Goals and Objectives of the Internship (Internship II) Experience***

The primary goal of internship is to integrate coursework with the realities of the actual classroom in order to provide a practical and experimental learning environment for the intern where the intern can actively attempt to apply his or her developing knowledge and skills in a supportive environment. In order to accomplish this goal, specific objectives have been identified.

The Intern will:

- Communicate accurately and effectively in the content area.
- Maintain professional rapport with students.
- Obtain feedback from and communicate with students in a way that enhances student learning.
- Encourage the development of student involvement, responsibility, and critical thinking skills.
- Manage the classroom in a way that ensures the best use of instructional time.
- Create an atmosphere conducive to learning, self-discipline, and development of positive self- concept.
- Use a variety of instructional techniques, methods, and instructional technology and/or tools related to the objectives.
- Organize instruction in consideration individual and cultural differences among learners and to ensure an equitable learning environment for all learners.
- Plan instruction to achieve selected objectives.
- Demonstrate understanding of human growth and development characteristics of students.
- Demonstrate the value of self-evaluation and reflective thinking.
- Demonstrate an understanding of the importance of educational research.
- Demonstrate knowledge of foundations of public education in America, both at the state and district levels.
- Demonstrate knowledge of legal responsibilities of the public-school system.
- Prepare to arrange for conference and referral opportunities.

## ***Terms You Should Know***

**Arkansas Teaching Standards** – The ten teaching standards that have been grouped into four general categories that pre-service teachers are expected to demonstrate before being licensed in the State of Arkansas. Arkansas has (along with a number of other states) adopted these standards. They are also referred to as the InTASC Standards. Many times, you will see these terms used interchangeably within your program of studies. They are as follows:

- The Learner and Learning
  - Standard #1 Learner Development
  - Standard #2 Learning Differences
  - Standard #3 Learning Environments
- Content
  - Standard #4 Content Knowledge
  - Standard #5 Application of Content
- Instructional Practice
  - Standard #6 Assessment
  - Standard #7 Planning for Instruction
  - Standard #8 Instructional Strategies
- Professional Responsibility
  - Standard #9 Professional Learning and Ethical Practice
  - Standard #10 Leadership and Collaboration

**Campus-based Supervisor** – The University representative from the College of Education and Health is responsible for supervising an Intern or group of Interns, and who acts as a liaison between the intern, Field-based supervisor, administrators, and the University.

**Cohort Supervisor (CS)** – Mentors teachers who attend Cohort training; the CS is employed by the College of Education and Health for the semester they are assigned an intern. The CS recommends the grade assigned to the intern and the Director of Teacher Education Student Services assigns the final grade.

**Cohort Program Director** – The Director of Teacher Education Student Services.

**Content-Area Supervisor** – The University representative from the secondary intern's major field of study who makes classroom observations to evaluate the intern's content proficiency. The content-area supervisor's evaluation is considered in the intern's final evaluation.

**Danielson's Framework for Teaching** (sometimes referred to as FFT in this handbook) – The FFT Classroom Observation System is an assessment tool for the evaluation of the classroom performance of first-year teachers. Student teachers are evaluated using FFT-adapted Formative Observation and Intervention forms.

**Director of Teacher Education Student Services** – The person designated by the University with administrative responsibility for organizing and coordinating professional clinical field experiences, including internship.

**Domains** – A way of organizing 22 Elements of good teaching from Danielson’s Framework for Teaching; the Arkansas Teacher Excellence Support System (TESS) is built around these:

- Domain 1: Planning and Preparation
- Domain 2: The Classroom Environment
- Domain 3: Instruction
- Domain 4: Professional Responsibility

**Exit Portfolio** – A standards-based presentation of evidence for the licensure of new teachers. The exit portfolio is a performance-based assessment completed during the internship. It should document knowledge, skills, and dispositions as denoted by the Arkansas Teaching Standards and the Danielson Framework for Teaching. The contents of the exit portfolio should document growth in reflective practice.

**Field-based Site** – A school that provides facilities for professional clinical field experiences in a teacher education program.

**Field-Site Principal** – The person designated by the school district as having ultimate responsibility involving the school building personnel.

**Field-based Supervisor** – A fully qualified and certified classroom teacher, without cohort training, with a minimum of three years’ experience, who is assigned the responsibility of providing instruction and leadership for a student during his/her internship.

**Intern** – A pre-service professional whose focus, first and foremost, is on student learning.

**Internship** – The semester-long, guided or directed teaching experience during which the intern takes increasing responsibility for instruction of a given group of students. Throughout this time the intern is under the supervision of a fully qualified mentor teacher in cooperation with university supervisors.

**InTASC Standards** – The ten teaching standards that have been grouped into four general categories that pre-service teachers are expected to demonstrate before being licensed in the State of Arkansas. Arkansas has (along with a number of other states) adopted these standards. They are also referred to as the Arkansas Teaching Standards. Many times, you will see these terms used interchangeably within your program of studies. These are:

- The Learner and Learning
  - Standard #1 Learner Development
  - Standard #2 Learning Differences
  - Standard #3 Learning Environments
- Content
  - Standard #4 Content Knowledge
  - Standard #5 Application of Content
- Instructional Practice
  - Standard #6 Assessment
  - Standard #7 Planning for Instruction
  - Standard #8 Instructional Strategies
- Professional Responsibility

- Standard #9 Professional Learning and Ethical Practice
- Standard #10 Leadership and Collaboration

**Liaison** – The Arkansas Tech supervisor supports the link between the university and the public schools. This person is either the Campus-based Supervisor who works with Field-based Supervisors or the Director of Teacher Education Student Services who works with Cohort Supervisors in this role of liaison.

**Mentor Teacher** – a non-cohort trained teacher that supervises interns

**Praxis II** – Subject Assessments, including:

- Subject Assessments/Specialty Area Tests, measuring general and subject specific pedagogical skills and knowledge. ATU requires a passing score on file in the Teacher Education Student Services office before being admitted to Internship.
- Principles of Learning and Teaching (PLT), a constructed-response and multiple-choice item case study approach to measuring general pedagogical knowledge at three grade levels K-6, 5-9, and 7-12. The Arkansas Department of Education requires passing scores on file before licensure is granted.

For required tests in Arkansas, please see the Arkansas testing requirements on the Educational Testing Service website at: <http://www.ets.org/praxis/ar/requirements>.

**Standards-based** – developed from and aligned to established national, state, and program requirements for acceptable quality.

**Teacher Excellence Support System (TESS)** – The system Arkansas uses to improve teaching performance that includes classroom performance assessments used to evaluate all aspects of a teacher's classroom performance. Designed to assist in making teacher development decisions, these comprehensive assessments are conducted in the teacher's own classroom by trained local assessors who employ a set of consistent and validated criteria. The assessments are typically administered during the first year of teaching, although under special circumstances they may take place during the second year. For additional information, see the Arkansas Department of Education website.



## ***Description of the Internship Experience***

The internship experience is an intense, semester-long, full-time assignment. In order to gain essential competencies in an organized manner, it is suggested that the experience be divided into four levels with appropriate tasks assigned at each level.

**LEVEL ONE** is primarily a period of orientation and observation during which the intern learns school procedures and becomes acquainted with the students, faculty, and administration. As the intern becomes generally familiar with the situation, plans should be made for a more active classroom role.

**LEVEL TWO** is the period when the intern begins to assume some of the responsibilities of the classroom teacher. These may include general classroom procedures, working with small groups, planning, teaching individual lessons for small groups, and assisting the mentor teacher. Observations of teaching techniques and management procedures with a great deal of interaction between the intern and mentor teacher are essential in order for students to understand “why” events are occurring in the classroom. As the intern gains confidence and competency, responsibility should increase. In both Level One and Level Two, the mentor teacher is primarily responsible for overall planning and instruction.

**LEVEL THREE** is when the intern begins to assume total responsibility for planning and teaching. This should begin with the intern having total responsibility for one class. The lessons for this class should be critiqued by both the mentor teacher and Campus-based supervisors. Classes should be added until the intern is assuming full responsibility for all aspects of the teaching and learning process. The intern is expected to do as much full-time teaching as time, energy, and skill will permit. The Field-based supervisor, with assistance from the Campus-based supervisor(s)/liaison, will judge the intern’s readiness to teach and will increase responsibilities according to the competencies demonstrated. For those classrooms with cohort supervisors, the cohort mentor teacher will assume this role of judging the intern’s readiness to teach and will increase responsibilities according to the competencies demonstrated.

**LEVEL FOUR** is the period when the intern begins to return responsibility to the mentor teacher. This might be done in the reverse order in which responsibility was assumed. During this time, the intern once again observes and assists. The emphasis is on answering questions that resulted from the internship experience and enhancing professional development.

At all four levels, the mentor teacher and the Campus-based supervisor(s)/liaison must share the responsibility of determining if and when the intern has developed the necessary skills. If an intern fails to progress through the levels at a rate which would result in competency in all levels within the allocated time, a meeting of the intern, mentor teacher, and Campus-based supervisor(s)/liaison should be called. For those classrooms with cohort supervisors, the cohort mentor teacher will assume these roles and responsibilities with the assistance of the Director of Teacher Education Student Services/liaison, when required.

If the student intern is not making adequate progress or is displaying knowledge, skills, or dispositions that are limiting his or her effectiveness after the mentor teacher has worked with the intern to resolve or improve without success, the mentor teacher is encouraged to contact the Director of Teacher Education Student Services for assistance with the student intern.

## ***Clinical Experience Agreement***

It is hereby agreed between the \_\_\_\_\_ School District and Arkansas Tech University that these two institutions will collaborate in a program of teacher education involving laboratory experiences and teacher candidatedship for students of Arkansas Tech University referred to as teacher candidates. This agreement is of a continuing nature, subject to termination by either party upon proper notification. The nature of the agreement is such that notice of termination shall be considered appropriate if it is in writing and effective at the beginning of the semester subsequent to the notice. This agreement shall be reviewed each year, prior to August 1, to determine those modifications in general policies and understandings, and the responsibilities of the agencies involved which are necessary for the operation of the next academic year.

### **GENERAL POLICIES AND UNDERSTANDINGS**

1. The underlying purpose and intent of this agreement is concerned primarily with the advancement of the profession of teaching.
2. The University has no pre-determined intent to modify the public-school organization concerned, its administration, staff, curriculum, or procedures for operation, as these are determined by district personnel and boards of education.
3. The school accepts the teacher education program of the University and undertakes to cooperate fully in its development and application.
4. The selection of teachers to supervise teacher candidates or other laboratory experiences shall be the joint responsibility of the administrative officers of both institutions.
5. Assignment of teacher candidates shall be the joint responsibility of the University and the designated school/district personnel.
6. Teacher candidates assigned to the school for internship or other pre-service laboratory experiences will be expected to conform to all regulations of the University that apply to student activities on the ATU campus and to adhere to all standards of professional conduct which the school and Board of Education may have determined for its own staff.
7. Any questions involving conflict of interests are to be resolved by the administrative officers of the two institutions in harmony with the policies stated above.
8. The internship program shall be evaluated each year under the direction of the Director of Teacher Education Student Services with assistance from field-site personnel for the purpose of improving the teacher preparation programs.

### ***Responsibilities of the University***

1. To collaborate with the administrative staff of the school in the selection of mentor teachers to supervise teacher candidates.
2. To remove or reassign any teacher candidate whose work or actions are objectively determined by the mentor teacher to jeopardize student learning in the classroom.
3. To define in detail the experiences that may be provided to teacher candidates.
4. To provide professional materials and assistance to mentor teachers appropriate to the task of fulfilling their responsibilities for guiding the growth and evaluation of teacher candidates.
5. To provide every possible assistance to the school system in its general in-service training program.
6. To observe the calendar and teaching method of the host school during the internship experience.
7. To have ATU faculty on site, or recall the teacher candidate, within 24 hours in case of problems.

### ***Responsibilities of the Public Schools***

1. To collaborate with the ATU Director of Teacher Education Student Services in the selection of mentor teachers with the following minimum qualifications:
  - a) are fully licensed in the appropriate content field with no negative Professional Licensure Standard Board findings against them;
  - b) have a minimum of three consecutive years of teaching experience with at least one semester in the current position;
  - c) have no more than three different preparations excluding activity courses (applies to secondary mentor teachers only); and
  - d) are qualified mentors with, at minimum, proficient ratings on TESS evaluations and having **completed TESS training** and who are interested in participating in a teacher preparation program.
2. To host the teacher candidate in internship for a duration of at least 15 weeks as applicable to program needs.
3. To seek approval of the building principal, the mentor teacher, and the Director of Teacher Education Student Services in making changes in the original placement of a teacher candidate.
4. To make all classes and extra-class activities under the direction of a designated mentor teacher(s) available to teacher candidates; *at no time* are teacher candidates to be expected to assume responsibility for classes or other school activities *not* under

the direction of the mentor teacher(s) or *without* the supervision of the mentor teacher(s), unless by special agreement between the ATU College of Education and Health and the respective school/district.

5. To make all instructional materials and facilities normally provided for assigned classes available to teacher candidates, including access for on-line instruction capabilities if necessary and applicable.
6. To provide time, place, and facilities for conferences of mentor teachers, teacher candidates, and Arkansas Tech University supervisors for planning, evaluating, and otherwise directing the work of teacher candidates.
7. To encourage the mentor teacher(s) to participate in continuing professional activities that will contribute to their effectiveness as supervisors of teacher candidates.

## **Evidence Required to Apply for an Initial Arkansas License**

ATU is required to submit and/or provide evidence of the following for initial educator licensure:

1. Passing score reports for subject Assessments Specialty Area and Principles of Learning and Teaching. When registering for tests be sure to have scores sent to ATU (code RA 6010) and the Division of Elementary and Secondary Education (Arkansas Department of Education code R 7031).
2. Approved Arkansas Educator Licensure System (AELS) no older than one year at the time of application.
3. An electronically-submitted application for Initial Teaching Licensure.
4. Proof of completion of required IDEAS professional development. See link below for current required modules <https://www.atu.edu/teacherlicensure/resources.php>.
5. An official and electronically-submitted transcript to the Division of Elementary and Secondary Education (ADE). MAT and MTLL-NTL need to submit both undergraduate and graduate transcripts.
6. A successfully completed the exit portfolio that will serve as an assessment of the teacher candidate's essential professional competencies and must be completed prior to recommendation for licensure.
7. Completed final surveys for the Office of Teacher Education Student Services.

Any questions concerning licensure should be directed to the Office of Educator Licensure and Support in Crabaugh 308. The phone number is 479-964-0583 extension 2351.

### ***Arkansas Educator Licensure System (AELS) Background Check***

The Division of Elementary and Secondary Education (ADE) and ATU require that any student who desires a placement in an area school or child care have an approved background check. Rules governing the requirement of criminal background check may be found at <http://arkansased.org/> or <https://www.atu.edu/teacherlicensure/BackgroundCheck.php>.

For more information use the link below to open AELS background check. The background check is in two parts. The first part is completion of electronic fingerprints which are sent to the FBI and the Arkansas State Police. The second part is the completion of the Child Maltreatment Form. This link explains the AELS background check and when you need one. It also provides step- by-step instructions on applying and paying for a background check. Directions are given for scheduling an appointment at ATU.

<https://www.atu.edu/teacherlicensure/>

***Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators***  
August 31, 2018

**1.00 Title**

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators.

**2.00 Regulatory Authority**

- 2.01 These rules are promulgated pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-410, 6-17-422, 6-17-425, 6-17-426, 6-17-428, 25-15-201 et seq., and Act 564 of 2017.
- 2.02 All rules, procedures, hearings and appeals relating to the Code of Ethics complaints shall be promulgated and implemented under the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-201 et seq.

**3.00 Purpose**

- 3.01 The purpose of the Rules Governing the Code of Ethics for Arkansas Educators (Code of Ethics) is to define standards of ethical conduct for all educators, whether licensed or employed under a legal waiver from licensure, and to outline procedures for receiving complaints, authorizing and conducting investigations, and recommending enforcement of the Code of Ethics.
- 3.02 The professional, ethical educator contributes 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. These values are the ethical premises for the standards of professional behavior and ethical decision-making established in this Code of Ethics. By establishing standards of ethical conduct, the Code of Ethics promotes the health, safety, and general welfare of students and educators and ensures the citizens of Arkansas a degree of accountability within the education profession.

**4.00 Applicability**

- 4.01 The valid Arkansas educator's license of any person shall be subject to the conditions, requirements, and mandates of the Code of Ethics, procedures, and recommendations for enforcement.
- 4.02 An educator who is employed under a waiver of licensure granted by the State Board to an educational entity is subject to the conditions,

requirements, and mandates of the Code of Ethics, procedures, and recommendations for enforcement, including public notification of violations of the Code of Ethics and fines equivalent to those for licensed educators.

- 4.03 A preservice teacher who is assigned to a school as a student intern in a supervised field experience or supervised clinical experience is also subject to the Code of Ethics. A sanction adopted by the State Board of Education may be imposed on a license when, and if, it is issued to the sanctioned preservice teacher.

## **5.00 Definitions**

- 5.01 **Acted upon** means that the State Board has taken an action to address an ethics complaint by revoking, suspending, or imposing another sanction upon an educator's license.
- 5.02 **An Authorized Ethics Complaint Investigation** is an ethics complaint that has been: (1) validated by the Chief Investigator of the PLSB as being submitted by an identifiable person; and (2) authorized for investigation based upon reasonable belief by the Ethics Subcommittee that if the allegation is true, it would constitute a violation of the Code of Ethics as set forth in these rules committed by an Arkansas educator. The Ethics Subcommittee shall investigate an ethics complaint that it determines is credible. (Ark. Code Ann. § 6-17-428).
- 5.03 **ADE** means the Arkansas Department of Education.
- 5.04 **AELS** means the Arkansas Educator Licensure System.
- 5.05 **Code of Ethics** means the Code of Ethics for Arkansas Educators established by the PLSB under Ark. Code. Ann. § 6-17-422.
- 5.06 **Dispositions** are the values, commitments, and professional ethics that influence behaviors toward students, families, colleagues and communities and that contribute to student learning, motivation, and development as well as the educator's own professional growth. Dispositions are guided by beliefs and attitudes related to values such as caring, fairness, honesty, responsibility and social justice.
- 5.07 **Educator** means:
- 5.07.1 A person holding a valid educator's license issued by the State Board;

- 5.07.2 A person employed under a waiver from licensure; or
- 5.07.3 A preservice teacher.
- 5.08 **Educational Setting** means any public school, open enrollment public charter school, virtual public school, or education service cooperative in Arkansas serving students in any of grades pre-K through 12.
- 5.09 **Educator’s License** means a teaching license, an administrator’s license, lifetime teaching license, ancillary license, provisional license, or any other license or permit issued by the State Board.
- 5.10 **Ethics Complaint** means an allegation of violation form that states alleged facts that if true would constitute an ethics violation of the Code of Ethics, ~~and~~ is signed under penalty of perjury by the person filing the ethics complaint, validated by the PLSB Chief Investigator, and authorized for investigation by the Ethics Subcommittee. An ethics complaint may also be a finding made in an audit report forwarded to the ADE by the Arkansas Joint Legislative Auditing Committee under Ark. Code Ann. § 6-17-426.
- 5.11 **Ethics Subcommittee** means the subcommittee established by the PLSB to receive and investigate ethics complaints, and enforce the Code of Ethics through recommendations to the State Board.
  - 5.11.1 The Ethics Subcommittee is composed of five (5) members with proportionate representation as the PLSB of public-school teachers and administrators plus one (1) member from any other category of representation on the PLSB.
- 5.12 **Ethics Hearing Subcommittee** means the subcommittee appointed by the PLSB to conduct evidentiary hearings under these rules. The Ethics Hearing Subcommittee is composed of six (6) members, at least two (2) of whom shall have served on the Ethics Subcommittee and three (3) of whom may be appointed by the PLSB based on educational experience. One (1) of the members shall be appointed to represent non-licensed teachers.
- 5.13 **Ethics Violation** is an act or omission on the part of an educator, when the educator knew, or reasonably should have known, that such acts or omissions were in violation of the Code of Ethics as set forth in these rules.
  - 5.13.1 An ethics violation does not include:
    - 5.13.1.1 A reasonable mistake made in good faith;~~or~~



- 5.13.1.2 Acts or omissions undertaken in accordance with thereasonable instructions of a supervisor; or
  - 5.13.1.3 An act or omission under circumstances in which the educator had a reasonable belief that failure to follow the instructions of a supervisor would result in an adverse jobaction against the educator.
- 5.14 **Filed** means an allegation of violation form, a motion, or other document hasbeen stamped by PLSB staff with a date acknowledging when the document arrived at the offices of the PLSB staff.
- 5.15 **Hearing Officer** means an impartial licensed attorney from the Arkansas Attorney General’s office who serves in a quasi-judicial role, i.e., opening the hearing, introducing the parties, swearing witnesses, and ruling on objections.
- 5.16 **Impairment** means the state of being mentally or physically diminished, weakened, or damaged, with respect to performing the educator’s professionalduties.
- 5.17 **Level 1 Public Notification of Ethics Violation** is a public notification that a nonlicensed educator has violated the Code of Ethics in a manner equivalent to aviolation that warrants a written reprimand. The purpose of a Level 1 Public Notification is to publicly admonish the nonlicensed educator;
- 5.18 **Level 2 Public Notification of Ethics Violation** is a public notification that a nonlicensed educator has violated the Code of Ethics in a manner equivalent to aviolation that warrants the probation of a license. The purpose of a Level 2 Public Notification is to publicly admonish the nonlicensed educator and place conditions or requirements on the educator for a specified period of time.
- 5.19 **Level 3 Public Notification of Ethics Violation** is a public notification that a nonlicensed educator has violated the Code of Ethics in a manner equivalent to aviolation that warrants the suspension of a license. The purposes of a Level 3 Public Notification are to publicly admonish the nonlicensed educator and for a specified period of time: (a) to place conditions or requirements on the nonlicensed educator; (b) to notify the public that the nonlicensed educator is notrecommended for employment or volunteering in an educational setting; and (c) notify the public that the nonlicensed educator is not eligible for teaching or testing duties.
- 5.20 **Level 4 Public Notification of Ethics Violation** is a public notification that a nonlicensed educator has violated the Code of Ethics in a manner equivalent to aviolation that warrants the revocation of a license. The purpose of a Level 4 Public Notification is to notify the public that the educator is not recommended

for employment or volunteering in an educational setting, and that the nonlicensed educator is not eligible for future licensure.

- 5.21 **Monitoring Conditions or Restrictions** may include any actions or alternative sanctions allowed under the Administrative Procedures Act. Such conditions or restrictions may include, but are not limited to requiring that an educator, at the educator's expense, submit a new criminal background check or submit other requested information such as current employment, compliance with recommended counseling, treatment, education or training. The Ethics Subcommittee may recommend the length of the monitoring period to the State Board.
- 5.22 **NASDTEC Clearinghouse** means the searchable database administered by the education departments of members of the National Association of State Directors of Teacher Education and Certification (NASDTEC). The Clearinghouse is viewable only by member agencies responsible for educator licensure/certification and discipline and additional interested education organizations approved by NASDTEC.
- 5.23 **Nonrenewal** means that an expired license will not be renewed. Nonrenewal may be permanent or temporary. There is no reinstatement of a license after permanent nonrenewal. Nonrenewal will apply when an educator's license expires after the occurrence of the alleged ethics violation.
- 5.24 **PLSB** means the Professional Licensure Standards Board.
- 5.25 **Pre-kindergarten** means an early childhood education program that serves students from birth to enrollment in kindergarten.
- 5.26 **Preponderance of Evidence** is the greater weight of the relevant evidence; superior evidentiary weight that, though not sufficient to free the mind wholly from all reasonable doubt, is still sufficient to induce a fair and impartial mind to one side of the issue rather than the other. It is determined by considering all of the relevant evidence and deciding which evidence is more credible. A preponderance of the evidence is not necessarily determined by the greater number of witnesses or documents presented. If, on any allegation against an educator, it cannot be determined whether the allegation is more likely true than not true, the allegation cannot be considered to have been proved.
- 5.27 **Preservice Teacher** means an unlicensed person who is enrolled as a student in an educator preparation program approved by the ADE.
- 5.28 **Private Letter of Caution** is a non-punitive communication from the Ethics Subcommittee to an educator in response to an ethics complaint against the educator. Private Letters of Caution may be provided to an educator by the

Ethics Subcommittee of the PLSB in lieu of recommending other discipline. Private Letters of Caution do not make any factual findings but inform the educator that the conduct alleged in the complaint or its investigation falls within the broad range of the Code of Ethics but that the circumstances and mitigating factors do not warrant disciplinary action. Private Letters of Caution remain in the files retained by the PLSB staff, but are not placed in an educator's licensure file at the ADE. A Private Letter of Caution is not submitted to the State Board for approval and it does not constitute a sanction for the purposes of the Code of Ethics. As a result, Private Letters of Caution cannot be basis for a request for an evidentiary hearing before the Ethics Subcommittee or the State Board.

- 5.29 **Probation** is the placing of conditions, requirements or circumstances on the status of an educator's license issued by the State Board for a period of time established by the State Board. Generally, an educator whose license is under probation must sufficiently satisfy such conditions, requirements or circumstances in order to maintain or be reinstated to the original non-probationary teaching license status. The probation will remain permanently in the ADE file of the educator and in the files retained by the PLSB.
- 5.30 **Public Information** for the purpose of these rules is information publicly available from news media or public record.
- 5.31 **Reasonable belief** is a belief based upon knowledge of facts and circumstances that are reasonably trustworthy, and that would justify a reasonable person's belief that: (1) a violation of the Code of Ethics as set forth in these rules has been committed; and (2) that the named educator committed such a violation. A reasonable belief is not based upon mere suspicion or conjecture.
- 5.32 **Relevant evidence** (or material evidence) is evidence having any tendency to make the existence of any fact that is of consequence to the determination of the matter more probable or less probable than it would be without the evidence.
- 5.33 **Revocation** is the permanent invalidation of any educator's license. There is no reinstatement of a license after permanent revocation. The revocation will remain permanently in the ADE file of the educator and in the files retained by the PLSB.
- 5.34 **State Board** means the Arkansas State Board of Education.
- 5.35 **School hiring official** means the person designated by a school who is responsible for hiring or making final recommendations for the hiring of an educator who holds an Arkansas teaching or administrator's license, or an educator who will be employed under a waiver granted by the State

Board.

- 5.36 **School-sponsored activity** is any event or activity sponsored by the school or school system which includes but is not limited to athletic events, booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum (i.e., foreign language trips, etc.) whether on school-campus or not.
- 5.37 **Sexual abuse** has the same meaning as given to the term in Ark. Code Ann. § 12-18-103(20)(D) as it applies to a caretaker, but shall include a victim who is younger than twenty-one (21) years of age and is still a student.
- 5.38 **Student** is any individual enrolled in any state's public or private schools from pre-kindergarten through grade 12.
- 5.39 **Supervisor** under these rules mean an administrator authorized by the district or school board to administer professional employee discipline up to and including recommending termination or nonrenewal.
- 5.40 **Suspension** is the temporary invalidation of any ~~teaching~~ educator's license for a period of time specified by the State Board. The suspension will remain permanently in the ADE file of the educator and in the files retained by the PLSB.
- 5.41 **Take action** means that, based on a preponderance of the evidence, the Ethics Subcommittee or Ethics Hearing Subcommittee, makes a determination and recommendation based on an ethics complaint.
- 5.42 **Valid educator's license** means that the educator's license was current, on probation, or under suspension at the time of an alleged ethics violation. A valid educator's license that expires after the occurrence of the alleged ethics violation is still subject to an ethics complaint process relating to the alleged ethics violation.
- 5.43 **Waiver from licensure** means a waiver from rules and/or laws governing educator licensure granted under:
- 5.43.1 The Arkansas Quality Charter Schools Act of 2013, Ark. Code Ann. § 6-23-101 et seq., to a public charter school in the approval of its original charter or an amendment to its charter;
- 5.43.2 Ark. Code Ann. § 6-15-103 to a school district;
- 5.43.3 The District of Innovation Program, Ark. Code Ann. § 6-15-2801 et seq., to a School of Innovation; or

5.43.4 Any other educational entity pursuant to Arkansas law.

- 5.44 **Written Reprimand** is a written admonishment from the State Board to the named educator for his or her conduct. The written reprimand cautions that further unethical conduct will lead to a more severe action and is associated with a monetary fine of the educator. The written reprimand will remain permanently in the files retained by the PLSB.

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

At a minimum, Arkansas educators and preservice teachers must adhere to the Code of Ethics represented in the Standards of Ethical Conduct shown below. An allegation of unethical conduct, authorized for investigation, and subsequently considered by the Ethics Subcommittee or the Ethics Hearing Subcommittee, and the State Board shall be based upon an alleged violation of the following:

- Standard 1:** An educator maintains a professional relationship with each student, both in and outside the classroom.
- 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.
- Standard 3:** An educator honestly fulfills reporting obligations associated with professional practices.
- Standard 4:** An educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.
- Standard 5:** An educator maintains integrity regarding the 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.
- Standard 6:** An educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures.
- 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.**

**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,**
- 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.**

## **7.00 Recommended Disciplinary Action**

7.01 The Ethics Subcommittee or Ethics Hearing Subcommittee is authorized to recommend to the State Board Levels of Public Notification for a nonlicensed educator, or for a licensed educator, a written reprimand or the probation, suspension, revocation, nonrenewal, or non-issuance of an educator's license. The Ethics Subcommittee or Ethics Hearing Subcommittee is also authorized to recommend the placement of conditions or restrictions on the activities of the educator that would assist the educator via training, coursework or rehabilitativetreatment. (All costs would be paid by the educator.) The State Board may direct the PLSB to monitor progress toward the completion of any corrective action. Any of the following shall be considered cause for recommendation of disciplinary action against an educator:

- 7.01.1 An initial determination by the Ethics Subcommittee that, basedon a preponderance of the evidence, a violation of the Code of Ethics as set forth in these rules has occurred.
- 7.01.2 Following an evidentiary hearing before the Ethics Hearing Subcommittee, the Ethics Hearing Subcommittee finds, by apreponderance of the evidence, that an educator violated theCode of Ethics as set forth in these rules.
- 7.01.3 An agreement between an educator and the Ethics Subcommitteeor Ethics Hearing Subcommittee as to the facts and/or the recommendation for disciplinary action.
- 7.01.4 A failure to comply with the payment of any imposed fines, fees,or other conditions or restrictions imposed by the State

Board.

- 7.01.5 Audit reports forwarded to the ADE by the Arkansas Legislative Joint Auditing Committee pursuant to Ark. Code Ann. § 6-17-426.
- 7.01.6 Disciplinary action against an educator's license/certificate in another state on grounds inconsistent with ethical conduct specified in Section 6.00 or as stated in this section.
- 7.02 An individual whose license has been revoked or nonrenewed, or suspended or temporarily nonrenewed shall not serve as a volunteer or be employed as an educator, consultant, paraprofessional, aide, substitute teacher, official and/or judge of a school-sponsored activity or be employed in any other position with a school district, open enrollment public charter school, or education service cooperative following his or her revocation or permanent nonrenewal, or during the period of suspension or temporary nonrenewal for a violation of the Code of Ethics.
  - 7.02.1 An individual who has received a Level 3 Public Notification of Ethics Violation, for the period of time specified in the Level 3 Public Notification:
    - 7.02.1.1 Is not recommended for employment or for volunteering in an educational setting, including without limitation performing teaching or testing duties; and
    - 7.02.1.2 Is not eligible for licensure.
  - 7.02.2 An individual who has been issued a Level 4 Public Notification of Ethics Violation is not recommended for employment or for volunteering in an educational setting, including without limitation performing teaching or testing duties and is not eligible for licensure on and after the issuance of the Level 4 Public Notification.
- 7.04 In lieu of imposing a disciplinary action as set forth above, the PLSB Ethics Subcommittee may provide the accused educator with a Private Letter of Caution. A Private Letter of Caution may not be appealed by the educator.

## **8.00 Fines and Fees**

- 8.01 The PLSB may recommend to the State Board for approval as authorized by Ark. Code Ann. §§ 6-17-422(h)(3)(c) and 6-17-428, monetary fees to be paid by a person for the issuance, reissuance, fine, or penalty associated with the

process, procedures, or enforcement of requirements necessary to issue or maintain an Arkansas teaching license.

- 8.01.1 Fine amounts are listed in *Appendix B* to these rules, which is attached and is hereby fully incorporated into these rules as fully set forth herein.
- 8.01.2 Nonrefundable fees for applications pertaining to an educator's license are published on the ADE website as approved by the State Board.
- 8.01.3 The State Board shall use the revenue collected from the fees and fines for the operation of the PLSB.
- 8.02 An educator shall pay a fine imposed by the State Board within ninety (90) days of the State Board's final order.
- 8.03 Failure to pay fines and fees may result in the ADE recommending that the State Board suspend the educator's license pursuant to Ark. Code Ann. § 25-15-217. The ADE will not renew a license until all fines and fees have been paid.

## **9.00 Disclosure of Records**

- 9.01 When the State Board issues a written reprimand for violation of the Code of Ethics, it will be reported to the ADE but is not publicly viewable in AELS. The ADE will disclose written reprimands if requested and pursuant to state or federal law.
- 9.02 Disciplinary actions are publicly reported as follows:
  - 9.02.1 The probation of a license is reported on AELS and the NASTDEC Clearinghouse during the period of probation and until all conditions are met. Following the successful completion of probation, the probation is removed from public view on AELS and the NASTDEC Clearinghouse, but is maintained permanently in the educator's files at the ADE and PLSB;
  - 9.02.2 A Level 2 Public Notification of Ethics Violation is reported on AELS for the period of time stated in the notice and until all conditions are met. Upon the successful completion of the period of time and all requirements stated in the Level 2 Public Notification, the notification is removed from public view in AELS, but is maintained permanently in the educator's files at the ADE and PLSB;
  - 9.02.3 The suspension or temporary nonrenewal of a license are reported



on AELS and the NASTDEC Clearinghouse. Upon the reinstatement of the license, AELS and the NASDTEC Clearinghouse will reflect that the license is reinstated, and the suspension or temporary nonrenewal is maintained permanently in the educator's files at the ADE and PLSB;

- 9.02.4 A Level 3 Public Notification of Ethics Violation is reported in AELS. Upon the successful completion of the period of time and all requirements stated in the Level 3 Public Notification, the recommendation against employment and volunteering is removed from AELS, but the evidence of a Level 3 Public Notification is maintained permanently in the educator's files at the ADE and PLSB; and
- 9.02.5 The revocation or permanent nonrenewal of a license is permanently reported on AELS and the NASDTEC Clearinghouse and is maintained permanently in the educator's files at the ADE and PLSB;
- 9.02.6 A Level 4 Public Notification of Ethics Violation is permanently recorded on public view in AELS and maintained permanently in the educator's files at the ADE and PLSB.
- 9.03 AELS will contain the following information:
  - 9.03.1 The Standard of Ethical Conduct violated;
  - 9.03.2 The sanction approved by the State Board; and
  - 9.03.3 A copy of the final order of the State Board.
- 9.06 Records of the Ethics Subcommittee and Ethics Hearing Subcommittee shall be retained in accordance with the Arkansas General Records Retention Schedule.
- 9.07 In accordance with Ark. Code Ann. § 6-17-428, all records and all hearings, meetings, and deliberations of the Ethics Subcommittee and Ethics Hearing Subcommittee relating to an ethics complaint are confidential and exempt from the Freedom of Information Act of 1967, Ark. Code Ann. § 25-19-101 et seq.
- 9.08 All documents relied upon by the State Board for its decision-making are public record.
  - 9.08.1 All hearings before the State Board are publicly viewable through live-streamed video and are archived on the ADE

website.

- 9.08.2 State Board orders concerning ethics violations are publicly available on the ADE website. Orders on written reprimands will be removed after the expiration of two (2) years from the date of the order, but orders concerning probation, suspension, nonrenewal, or revocation shall remain on the website for the period of time required in the order.
- 9.09 Subject to preemption or prohibition by other state or federal law, all records pertaining to an ethics complaint are open for inspection and copying by the person against whom the complaint is lodged and his or her representative. Videos, recordings, or other materials that the PLSB cannot redact will be made available to the educator or his or her representative at the PLSB office only.
- 9.10 Information such as personal contact information, social security numbers, student names, and other information protected by state or federal law will be redacted or released as permitted by law.
- 9.11 In accordance with Ark. Code Ann. § 25-15-208, disclosure shall not be required of the research or records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the attorney for the agency or members of his or her staff or other state agents.

### ***10.00 Mandatory Filing of Allegation and Ethics Violations Review***

- 10.01 A supervisor at an Arkansas public educational setting ~~school~~ 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.
- 10.02 The failure to submit an ethics complaint under this section is a violation of Standard 3.
- 10.03 This provision does not satisfy the legal obligation by the supervisor or an educator as a mandated reporter of child maltreatment under Ark. Code Ann. §12-18-402 of the Child Maltreatment Act.

### ***11.00 Procedures for the Investigation of an Ethics Complaint***

- 11.01 **Submitting an Allegation of Violation of the Code of Ethics** - Any person wishing to submit an allegation of an ethics violation must use the Allegation

of Violation form (allegation form) developed by the PLSB.

11.01.1 An allegation form shall be completed and signed under penalty of perjury by the complainant. Only an original signature will be accepted. A facsimile or electronic signature on the form will not be accepted and the form will be returned or the complainant will be required to submit a form with an original signature.

11.01.2 An allegation form shall be submitted to the ADE Assistant Commissioner designated on the allegation form. The Assistant Commissioner shall forward the allegation form to the PLSB office for filing.

11.01.2.1 The allegation form may be filed with the PLSB by submitting it to the ADE, a public school district, or a public-school superintendent.

11.01.2.2 If an allegation form is received by a public school district or a public-school superintendent, the public school district or superintendent must forward all signed allegations directly to the ADE; the failure to do so may be considered a violation of the Code of Ethics.

11.02 **Automatic submission for investigation** - The following will automatically go to the Ethics Subcommittee of the PLSB for the opening of an investigation:

11.02.1 Public information that an educator may have committed a violation of the Code of Ethics; and

11.02.2 Audit reports forwarded to the ADE by the Arkansas Joint Auditing Committee pursuant to Ark. Code Ann. § 6-17-426.

11.02.3 If the Ethics Subcommittee votes that the Chair should submit an allegation form, the Chair shall recuse herself or himself from any further consideration of the complaint. If necessary, the PLSB may appoint a board member to the Ethics Subcommittee for the limited purpose of resolving a complaint filed under this section.

11.03 **Validation** - The Chief Investigator of the PLSB will review the allegation form and verify that the allegation form: (1) has been submitted by an identifiable person; (2) was signed under penalty of perjury; and (3) concerns alleged unethical conduct.

11.03.1 After an allegation of a violation is validated, it cannot be withdrawn by the complainant. However, the Ethics

Subcommittee may take a written request for withdrawal into consideration when determining whether to authorize an investigation based on the allegation.

**11.04 Action by the PLSB on an Allegation of Violation** - An allegation will become a complaint once it has been:

- 11.04.1 Filed with the PLSB as provided under 11.01 with an original signature;
- 11.04.2 Validated by the PLSB Chief Investigator as being submitted by an identifiable person; and
- 11.04.3 Determined by the Ethics Subcommittee as credible and if true, would constitute a violation by an Arkansas educator of the Code of Ethics as set forth in these rules.

**11.05 Action by the PLSB Ethics Subcommittee** –

- 11.05.1 The Ethics Subcommittee will determine whether to grant authority to the PLSB investigative staff to investigate the allegation. Authority to investigate the allegation will be based upon a reasonable belief that the allegation, if true, constitutes a violation of the Code of Ethics committed by the alleged educator.
- 11.05.2 Any member of the Ethics Subcommittee of the PLSB who works with or for the educator against whom the allegation is submitted shall recuse himself/herself from any discussion, hearing, or deliberations concerning the accused educator. A member shall recuse himself/herself if there is any relationship that would prevent him/her from making a fair and impartial decision on the educator's case.
- 11.05.3 The Ethics Subcommittee is not limited to the standard alleged on the form but may consider all of the evidence submitted with the allegation in determining which, if any, standard may have been violated.
- 11.05.4 If the Ethics Subcommittee votes not to authorize investigation, the allegation shall be dismissed and the matter shall be closed without further action against the educator. There is no notification to the educator either of the allegation or of the denial of authority to investigate.
- 11.05.5 If the Ethics Subcommittee votes to authorize investigation of

the allegation, the allegation becomes an authorized ethics complaint.

11.05.5.1 Within ten (10) business days of authorization, the PLSB staff shall notify the named educator in writing concerning the initiation of the investigation and provide the educator with a copy of:

11.05.5.1.1 The complaint and documents or evidence provided by the complainant, as provided in Section 9.00; and

11.05.5.1.2 The provisions of Ark. Code Ann. § 6-17-428 or other state statutory law applicable to an ethics violation and the applicable rules in effect at the time the ethics complaint is filed.

11.05.5.2 The PLSB staff shall also provide to the complainant written notice of the authorization to investigate their alleged violation(s).

11.05.6 If, in the course of an authorized investigation, the PLSB investigative staff discovers credible information that the named educator has committed additional violations of the Code of Ethics, the PLSB staff may request additional authority to investigate from the Ethics Subcommittee.

11.05.6.1 The authorization of an additional investigation will restart the calculation of the statutory timelines.

11.05.7 In the event that PLSB staff discovers credible information that another educator has violated the Code of Ethics the PLSB staff may request that the Ethics Subcommittee Chair submit an allegation form with the ADE. If the Ethics Subcommittee votes that the Chair should submit an allegation form, the Chair shall recuse herself or himself from any further consideration of the complaint. If necessary, the PLSB may appoint a board member to the Ethics Subcommittee for the limited purpose of resolving the complaint.

#### **11.06 Completion of the Investigation –**

11.06.1 The Ethics Subcommittee shall complete its investigation of an ethics complaint and take action within:

- 11.06.1.1 One hundred fifty (150) calendar days of authorizing the investigation; or
- 11.06.1.2 If a hearing is conducted, within one hundred eighty (180) calendar days of authorizing the investigation.
- 11.06.2 Upon completion of the investigation and final report of investigation, the PLSB staff will provide to the accused educator or his or her representative:
  - 11.06.2.1 The final report of investigation;
  - 11.06.2.2 Except as provided under Section 9.00, a copy of the documents and evidence concerning the investigation of the ethics complaint.
    - 11.06.2.2.1 If the educator requests a transcript of a video or recording, the PLSB office may provide the transcript, redacted as necessary.
    - 11.06.2.2.2 At its option, the PLSB may outsource the transcription at the educator's expense.
    - 11.06.2.2.3 If a request for a transcript will cause the resolution of the case to exceed the statutory timeline, the PLSB may decline the transcript request or request that the educator agree to extend the timeline until the educator receives and submits payment for the transcript;
  - 11.06.2.3 Written notice that the Ethics Subcommittee will consider taking action against the named educator; and
  - 11.06.2.4 A copy of the rules in effect at the time the ethics complaint is filed.
- 11.06.3 The named educator or his/her attorney will be allowed thirty (30) calendar days from receipt of the notice, documentation, and evidence from the Ethics Subcommittee to submit any further response in writing.
- 11.06.4 At the conclusion of the thirty (30) calendar days or upon receiving

the written response from the educator, the PLSB staff will send the final report of investigation and educator's response to the members of the Ethics Subcommittee.

11.06.5 The PLSB will consider a notice as received on the earliest of one of the following dates:

11.06.5.1 The date a letter mailed by certified mail was received by the educator, as confirmed with the United States Postal Service;

11.06.5.2 On the tenth (10th) calendar day from the date a letter was mailed by regular mail, if the educator or his or her representative does not sign for the certified letter, and the letter sent by regular mail is not returned to the PLSB; or

11.06.5.3 The date the educator or his or her representative accesses the documents sent by secure file link.

## **12.00 *Procedures for the Initial Determination and Recommendation of the Ethics Subcommittee***

12.01 The Ethics Subcommittee shall take action on the ethics complaint by making an initial determination and recommendation not more than sixty (60) days after receipt of: (1) the educator's written response to the final report of investigation, or (2) the expiration of the educator's time to provide a written response to the final report of investigation.

12.01.1 The Ethics Subcommittee shall review the results of the investigation including the PLSB staff's final report of investigation and, if submitted as required by these rules, the written response from the educator who is the subject of the ethics complaint. Following the review, if the Ethics Subcommittee finds that the educator violated the Code of Ethics as set forth in these rules, the Ethics Subcommittee shall issue an initial decision and may recommend any appropriate action as set forth in these rules.

12.01.1.1 The Ethics Subcommittee shall refer to the Sanction Guidelines for Ethical Violations approved by the PLSB (Appendix D) when making the initial determination and recommendation.

- 12.01.2 The initial recommendation shall be considered a proposal for decision under Ark. Code Ann. § 25-15-210 and shall contain a statement of the reasons for the decision and each issue of fact or law necessary for the decision.
- 12.01.3 **Private Letter of Caution** - The Ethics Subcommittee may also issue a Private Letter of Caution in lieu of recommending a disciplinary action.

**12.02 Notice to the Educator –**

- 12.02.1 The PLSB staff will notify the named educator in writing of the recommendation of the Ethics Subcommittee within ten (10) business days following the Ethics Subcommittee's initial determination and recommendation.
- 12.02.2 The notice will further inform the educator that he or she may request an evidentiary hearing, at which the Ethics Hearing Subcommittee may retain the Ethics Subcommittee's recommendation, or may modify it, including finding no evidence to support a finding of a violation.
- 12.02.3 There is no right to an evidentiary hearing, or an appeal from a Private Letter of Caution.

**12.03 Educator's response -**

- 12.03.1 The educator may reject the recommendation of the Ethics Subcommittee of the PLSB and request an evidentiary hearing before the Ethics Hearing Subcommittee by submitting the request to the PLSB attorney in writing within thirty (30) calendar days of the date the educator receives the notice.
- 12.03.2 If an educator fails to respond to notification of the initial recommendation of the Ethics Subcommittee within thirty (30) calendar days, the initial recommendation will become a final recommendation without an evidentiary hearing and will be forwarded to the State Board for a final decision.
- 12.03.4 The PLSB staff shall notify the educator that the final recommendation will be submitted to the State Board as part of its consent agenda.



12.03.4.1 The State Board may remove the case from its consent agenda and set the case for further review pursuant to Section 16.01.

12.03.5 If the educator allows his or her license to expire after the date of the alleged ethics violation, the complaint process will continue through its completion.

12.04 **Notice to Complainant** - The PLSB staff shall provide a written notice to the complainant when the Ethics Subcommittee determines the evidence does not support a finding of an ethical violation and closes the file. However, the Ethics Subcommittee rationale for not authorizing an investigation shall remain confidential.

### ***13.00 Motions before the Ethics Subcommittee or Ethics Hearing Subcommittee***

13.01 An educator or his or her representative who has requested an evidentiary hearing may file a motion by serving it on the attorney for the PLSB who shall file-stamp the motion indicating the date it is received and promptly transmit the motion(s) to the Chair of the Ethics Hearing Subcommittee for consideration at the next available Ethics Hearing Subcommittee meeting.

13.02 Once an evidentiary hearing has been requested, all motions must be filed no later than fourteen (14) calendar days before the scheduled date of the hearing. The responding party shall have seven (7) calendar days to respond to a motion.

13.03 Filing a motion that requests that the Ethics Hearing Subcommittee take an action prior to the requested or scheduled evidentiary hearing extends the time limits set out in these rules and Ark. Code Ann. § 6-17-428 by the amount of time required to rule on the motion.

13.04 Requests regarding procedural matters, including requests for additional time for the hearing or for continuation of a hearing or proposed stipulated settlements, may be considered on the motions or papers submitted, or the Ethics Hearing Subcommittee Chair may allow oral argument. The PLSB attorney and the educator may propose a stipulation to dispose of any procedural or substantive matters at any time subject to final approval by the Ethics Hearing Subcommittee.

13.05 The Chair of the Ethics Hearing Subcommittee Chair may consider any motion that is not timely filed as set forth herein when there is good cause for the untimely filing.

### ***14.00 Evidentiary Hearings***

**14.01 Request for and scheduling of an evidentiary hearing.**

- 14.01.1 If the educator requests an evidentiary hearing, the hearing will be held before the Ethics Hearing Subcommittee within one hundred eighty (180) days of the date the investigation was authorized, or at a time and date agreed between the parties.
- 14.01.2 The PLSB staff shall notify the educator in writing of the date, time and location of the evidentiary hearing.
- 14.01.3 Each party shall disclose to the other the names of all witnesses and identify all evidence the party intends to use at the hearing. The notice will also state a date by which the exchange shall take place.
- 14.01.4 The educator or the PLSB representative may request a continuance of a scheduled evidentiary hearing. Such a request shall be made in the form of a written motion as provided in Section 13. For reasonable circumstances, including without limitation, inclement weather, state or national emergencies, or other unforeseeable events, the Ethics Hearing Subcommittee may, on its own motion, continue a scheduled evidentiary hearing.

**14.02 Hearing procedures.**

- 14.02.1 An evidentiary hearing shall be conducted on the record before a court reporter.
- 14.02.2 The Ethics Hearing Subcommittee may use a hearing officer.
- 14.02.3 The Ethics Hearing Subcommittee shall use the “preponderance of the evidence” standard to determine whether a violation of the Code of Ethics occurred. The representative of the PLSB will have the burden of proving each fact of consequence to the determination by a preponderance of the evidence.
- 14.02.4 A representative of the PLSB and the educator (or his/her attorney) shall have up to one (1) hour each to present their cases to the Ethics Hearing Subcommittee. The Chair of the Ethics Hearing Subcommittee may grant additional time to either or both parties, if necessary.
  - 14.02.4.1 A motion for additional time will be considered timely if it is submitted to the Ethics Hearing Subcommittee as

provided in Section 13.

- 14.02.5 Witnesses shall be sworn in by the Chair or hearing officer. Except for the educator and PLSB investigator, witnesses shall remain outside of the hearing room until called to testify. The proceedings of the Ethics Hearing Subcommittee are by law confidential and witnesses shall not discuss the case or any evidence or documents concerning the case before, during, or after the hearing except in the presence of the Ethics Hearing Subcommittee.
- 14.02.6 Each party will have the opportunity, should it so choose, to make an opening statement. The statement shall be no longer than five (5) minutes in length. The Chair or hearing officer may grant additional time to either or both parties, if necessary.
- 14.02.7 The PLSB shall present its case (and opening statement, if it so chooses) first.
- 14.02.8 Any written documents, photographs or any other items of evidence may be presented to the Ethics Hearing Subcommittee with the permission of the Chair or hearing officer.
- 14.02.8.1 The items of evidence shall be marked as either “PLSB Exhibit Number 1 (et seq.)” or “Educator’s Exhibit Number 1 (et seq.)”
- 14.02.8.2 After an item of evidence has been presented to the Ethics Hearing Subcommittee, the introducing party shall give one (1) copy to the court reporter for the record and one (1) copy to each member of the Ethics Hearing Subcommittee and hearing officer.
- 14.02.9 After one party has questioned a witness, the other party shall have an opportunity to cross-examine the witness. The Chair or hearing officer may also grant either party the opportunity for re-direct examination or to offer rebuttal testimony.
- 14.02.10 Cross-examination, re-direct, and rebuttal are not included in the one-hour time period for case presentation, but the limitation or extension of time is at the discretion of the Chair or hearing officer.
- 14.02.11 While the scope of each party’s presentation ultimately lies within the Chair’s or hearing officer’s discretion, case presentation should

be arranged in such a way as to avoid redundant testimony.

- 14.02.12 Each member of the Ethics Hearing Subcommittee shall also have the opportunity to ask questions of any witness or any party at anytime.
- 14.02.13 After the rebuttal evidence has been presented, the educator shall have up to ten (10) minutes to present a closing statement, if desired. The Chair or hearing officer may grant additional time if necessary.
- 14.02.14 After the educator has made a closing statement, or waived the opportunity for the same, the representative of the PLSB shall have up to ten (10) minutes to make his/her closing statement, if desired. The Chair or hearing officer may grant additional time if necessary.
- 14.02.15 The Ethics Hearing Subcommittee may:
  - 14.02.15.1 Maintain, reject, or modify the Ethics Subcommittee recommendation; or
  - 14.02.15.2 Issue a non-punitive Private Letter of Caution.
- 14.02.16 After closing statements have been made (or the opportunity to make them has been waived), the Ethics Hearing Subcommittee may go off the record for deliberations and will ask that all parties leave the room during this time. After a decision has been made parties will be asked to return to the hearing room and the Ethics Hearing Subcommittee will orally announce the decision or may take the case under advisement and render a decision at a later time.
- 14.02.17 The Ethics Hearing Subcommittee shall state in its written decision the following:
  - 14.02.17.1 Its determination as to whether the educator violated one or more standards of the Code of Ethics;
  - 14.02.17.2 Its findings as to the evidence supporting each determination of a violation;
  - 14.02.17.3 Its recommendation to the State Board, if any, for disciplinary action, including the sanction,

conditions, and time periods to be met; and

14.03 A statement of each issue of fact or law necessary for the decision. Notice of Evidentiary Hearing Decision

14.03.1 Within ten (10) business days following the action taken by the Ethics Hearing Subcommittee, the PLSB staff will notify the educator in writing of the Ethics Hearing Subcommittee's action taken on the evidentiary hearing.

14.03.2 Following the notice of action taken, the PLSB attorney shall send to the educator:

14.03.2.1 The Ethics Hearing Subcommittee's written findings and recommendation.

14.03.2.1.1 The evidentiary hearing recommendation is a proposal for decision under Ark. Code Ann. § 25-15-210.

14.03.3 After receiving the written findings and recommendations, the educator may object and request a review by the State Board pursuant to Section 14.04.

**14.04 Educator's Request for State Board Review**

14.04.1 The educator shall have fourteen (14) calendar days from the receipt of the written findings and recommendations of the Ethics Hearing Subcommittee to object and request a review by the State Board.

14.04.2 If the educator does not request a State Board review within the 14-day period, the findings and recommendation shall become final and the PLSB will submit them to the State Board on its consent agenda.

14.04.2.1 The State Board may remove the case from its consent agenda and set the case for further review pursuant to Section 16.01.

**15.00 Subpoenas**

15.01 At the request of a party to a proceeding pending before the PLSB or its subcommittees, the Chair of the PLSB may issue a subpoena and bring

before the PLSB, or the Chair of the Ethics Hearing Subcommittee may issue a subpoena and bring before the Ethics Hearing Subcommittee, as a witness any person in this state. The PLSB Chair or the Chair of the Ethics Hearing Subcommittee may, on his or her own motion, issue a subpoena at any time.

15.02 A party requesting a subpoena must make the request in writing to the PLSB staff attorney. Requests for subpoenas made to the PLSB shall be delivered to the office of the PLSB Attorney no later than ten (10) calendar days prior to the PLSB hearing for which the subpoena is requested.

15.03 The party requesting the subpoena is responsible for serving the subpoena on the witness in the manner provided for by statute or rule for the service of subpoenas in civil cases or by any form of mail addressed to the person to be served with a return receipt requested and delivery restricted to the addressee or agent of the addressee. The requesting party is responsible for the payment of any fees or mileage associated with the appearance of the witness subject to the subpoena.

15.04 The subpoena shall:

15.04.1 Be in the name of the PLSB or the PLSB Ethics Hearing Subcommittee as applicable;

15.04.2 State the name of the proceeding; and

15.04.3 Command each person to whom it is directed to give testimony at the time and place specified in the subpoena in one (1) of the following ways:

15.04.3.1 In person;

15.04.3.2 Before a certified court reporter under oath at the place of the witness' residence or employment;

15.04.3.3 By video-taped deposition at the place of the witness' residence or employment, or at another location agreed to between the parties; or

15.04.3.4 By live video communications from the witness' residence, place of employment, or a nearby facility capable of providing video transmission to the PLSB or the Ethics Hearing Subcommittee.

15.05 The manner of providing testimony under the subpoena shall be conducted by video conference testimony unless another manner is agreed upon by the

PLSB or the Ethics Hearing Subcommittee, as applicable, and the person who is the subject of the subpoena.

15.06 The subpoena may require the witness to bring with him or her any book, writing, or other thing under his or her control that he or she is bound by law to produce in evidence.

15.07 A witness who has been served by subpoena and who appears in person to testify at the trial or case pending before the PLSB or the Ethics Hearing Subcommittee shall be reimbursed for travel and attendance as provided by law.

15.07.1 The cost of serving a subpoena and all associated costs for the testimony, such as a deposition, shall be borne by the requesting party.

15.08 If a witness is served with a subpoena and fails to provide testimony in obedience to the subpoena, the PLSB may apply to the circuit court of the county in which the PLSB is holding the proceeding for an order causing the arrest of the witness and directing that the witness be brought before the court.

15.08.1 The court will have the power to punish the disobedient witness for contempt as provided by the Arkansas Rules of Civil Procedure.

15.09 A witness who has been served with a subpoena may challenge the validity of the subpoena in the circuit court of the county in which the witness resides or is employed.

## **16.00 State Board Review**

16.01 The State Board may remove a PLSB recommendation from a consent agenda for further review as follows:

16.01.1 The State Board will request that the review be placed on the action agenda for its next available regularly scheduled monthly board meeting and provide its rationale for the review.

16.01.2 The educator or his/her attorney may elect to:

16.01.2.1 Appear at the subsequent review meeting and have the opportunity to make a statement at the State Board review for up to ten (10) minutes. The PLSB may also have up to ten (10) minutes to testify.

Additional time may be granted at the discretion of the board chair. The board members may ask questions of either party at the subsequent review; or

- 16.01.2.2 Request a full review of the evidentiary hearing transcript and evidence, if an evidentiary hearing has already been conducted and the State Board is removing a consent agenda item for a recommendation from the PLSB Evidentiary Hearing Subcommittee.
- 16.01.3 If the educator or his/her attorney does not make any of the above elections, or does not appear for the subsequent review meeting, the State Board shall conduct the subsequent review without the educator or his/her attorney and make a final decision.
- 16.01.4 The State Board's final decision, made at the meeting at which the subsequent review is conducted, may be appealed by the educator to Circuit Court as provided under Section 17.00.
- 16.02 When an educator objects to the Ethics Hearing Subcommittee's evidentiary hearing findings and recommendation, the educator may request a review by the State Board by filing with the PLSB attorney his or her written objections and brief within fourteen (14) calendar days of receiving the Ethics Hearing Subcommittee's written findings and recommendations on the evidentiary hearing.
  - 16.02.1 The parties may agree to allow the educator additional time to file the written objections and brief. The educator/educator's attorney may also request that the State Board grant the educator additional time to file the written objections and brief. A request for additional time shall specify the reason for the request and shall be in the form of a written motion. The PLSB attorney will provide the State Board with the motion and any response.

**16.03 Written Objections and Briefs**

- 16.03.1 The transcript will be provided to the State Board by the PLSB attorney and the educator should not include any part of the transcript in the written objections and brief.
- 16.03.2 The written objections, brief, and PLSB's response shall use the following caption and shall bear the signature of the party or, if represented by counsel, the attorney for the party:



<b>BEFORE THE ARKANSAS STATE BOARD OF EDUCATION</b>	
<b>IN THE MATTER OF:</b>  _____	<b>PLSB CASE NO.:</b> _____  <u><b>TITLE OF DOCUMENT</b></u>

- 16.03.3 The PLSB attorney may file a written response to the educator’s objections and brief within fourteen (14) calendar days of receipt of the educator’s objections and brief.
- 16.03.4 The PLSB attorney shall prepare a redacted copy of the Ethics Hearing Subcommittee hearing transcript and hearing exhibits to be filed with State Board.
- 16.03.5 The PLSB’s findings and recommendations, the educator’s objections and brief, the PLSB’s response, and the redacted transcript will be submitted to the State Board and will be heard by the State Board at the next available meeting date or at a later date if agreed between the parties.
- 16.03.6 All requests for an extension of time to file written objections or responses, for extended time for oral argument, or for any other pre-hearing matter shall be made in the form of a motion to the State Board Chair in a timely manner to give notice and opportunity for a response to the other party before the hearing date. The PLSB attorney will provide the State Board with the motion and any response.

**16.04 Oral Argument; Testimony**

- 16.04.1 Either the PLSB or the educator may request oral argument.
- 16.04.2 The request should be submitted in writing by the party at the time the written objections or response, as applicable, is filed.
- 16.04.3 If oral argument is requested, the PLSB attorney shall introduce the item on the agenda, then the educator will have ten (10) minutes to present an oral argument in opposition to the findings and recommendations.
- 16.04.4 The PLSB’s attorney will then have (10) minutes for oral argument

in support of the findings and recommendations.

- 16.04.5 Upon good cause shown, the Chair of the State Board may grant either party additional time for oral argument.

**16.05 Testimony**

- 16.05.1 The hearing is on the consideration of the transcript, the pleadings, and oral argument only. However, at the request of the State Board Chair, the educator and the PLSB investigator for the case or the Chief Investigator may provide testimony. All testimony from the educator, the PLSB investigator, or the Chief Investigator shall be given under oath.

**16.06 Order; Findings**

- 16.06.1 After consideration of the findings and recommendations, the records, objections, briefs, and arguments, the State Board shall issue a decision on the record and will provide a final written decision, including findings of fact and conclusions of law, separately stated.

**16.07 Notices**

- 16.07.1 Following the issuance of the State Board's final written order, the PLSB staff shall provide the following written notices:
  - 16.07.1.1 **Notice to Educator** - Within thirty (30) calendar days following the State Board review, the PLSB shall provide to the educator by personal service or by mail a copy of the final decision or order.
  - 16.07.1.2 **Notice to Complainant** - The PLSB staff shall provide written notice to the complainant when the State Board has issued its final written order on the recommendation of the Ethics Subcommittee or Ethics Hearing Subcommittee.
  - 16.07.1.3 **Notice to Employing Educational Entity** – The PLSB staff shall provide written notice to the employing educational entity, if any, when the educator's license has been suspended, nonrenewed (temporarily or permanently), or revoked by the State Board or a Level 2, 3, or 4 Public Notice of Ethics Violation is approved by the State Board.

**17.00 Appeal to Circuit Court**

17.01 The educator may file an appeal of the State Board’s final order to circuit court within thirty (30) days pursuant to the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-201 et seq.

17.02 The 30-day time period for filing an appeal in circuit court shall run from the date the educator receives the final written order of the State Board.

**Summary of Timeline for the Ethics Complaint Process**

PLSB Action	Educator Action	Deadline
Initial Review of Allegation / Authorization of Investigation		First available meeting following verification of an allegation of violation
Notice to Complainant if no Authorization of Investigation		
Notice to Educator of Authorization of Investigation		10 business days after authorization
	Response of Educator to Ethics Complaint	30 calendar days after receiving notice
Initial Determination and Recommendation		First available meeting after receiving the response or expiration of educator’s response time (within 150 days after authorization of investigation)
	Response of Educator to Initial Determination and Recommendation notice (reject and request evidentiary hearing)	30 calendar days of receiving the notice
If no rejection schedule for State Board consent agenda		Placed on the next available agenda. State Board may remove from consent and set for subsequent review.
If rejected, schedule Evidentiary Hearing		Scheduled within 180 days from the date the investigation was authorized, unless the parties agree otherwise
Motions concerning a hearing	Motions concerning a hearing	14 calendar days before hearing date

## Appendix A

	Request for subpoenas	10 calendar days before hearing date
Taking action on evidentiary hearing		At the conclusion of the hearing, or at a later time if taken under advisement
Notice to Educator of action taken		10 business days after taking action
Notice to Educator of written findings and recommendations		As soon as is practicable after receipt of the hearing transcript
	Response to notice of the findings and recommendation (submits a request for State Board review by filing written objections and brief)	14 calendar days of receiving the written findings and recommendations
Response to educator's written objections and brief		14 calendar days after receiving written objections and brief
Scheduling State Board review		Placed on the action agenda for the next available State Board meeting
Notice to Educator of State Board Order; Notice to Complainant of State Board Order		As soon as is practicable after receipt of the hearing transcript
	Filing of an appeal to Circuit Court	Within 30 days of receiving the written order of the State Board

**LIST OF ACTIONS & APPLICABLE FINES**

Nonpayment of fines may subject the educator to further disciplinary action.

<b>Action Taken</b>	<b>Maximum Fine Amount</b>
Complaint is not substantiated – No action taken; Case closed.	Not Applicable
Compliance with recommended training, conditions, <del>or</del> restrictions, or <del>recommended</del> treatment or rehabilitation with periodic monitoring.	All expenses paid by the educator.
Private Letter of Caution	\$0
Written Reprimand / Level 1 Public Notification of Ethics Violation	Up to \$100
Probation of License / Level 2 Public Notification of Ethics Violation	Up to \$250
Suspension of License or Temporary Nonrenewal / Level 3 Public Notification of Ethics Violation	Up to \$500
Permanent Revocation or Permanent Nonrenewal of License /Level 4 Public Notification of Ethics Violation	Up to \$500

## Explanations and Guidance to Clarify the Intent of the Code of Ethics

The purpose of this *Appendix C* is to provide greater clarity and intent of each ethical standard listed in Section 6.00 of this rule. Therefore, *Appendix C* is not designed to supersede the required standard of ethical conduct but rather to provide some rationale of the intent and purpose and thus the proper application of each ethical standard of conduct. It is recognized that *Appendix C* is a general application of the intent and purpose of each ethical standard and is considered a guide and not all inclusive of each and every interpretation and application of the Code of Ethics as required in Section 6.00.

**Employer/Employee or Contractual Relationship.** 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.

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

**Guidance:** 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.

An educator should not participate in and should discourage bullying based on such characteristics as race, national origin, color, gender, sexual orientation or identity, age, disability, or religion. "Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence against a student by a written, verbal, electronic, or physical act that may address an attribute, as defined in A.C.A. § 6-18-514, of the student and that causes or creates actual or reasonably foreseeable: (a) physical harm to a student or damage to the student's property; (b) substantial interference with a student's education; or (c) a hostile educational environment for one (1) or more students due to the severity, persistence, or pervasiveness of the act.

Educators should maintain professional relationships with students while using social-networking technology tools.

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 schoolcounseling or other help.

**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.**

Guidance: This standard addresses the professional educator's obligation to implement best practices and maintain competence in skills and knowledge. An educator has many dispositionsthat are required in the course of instruction. Educators have a responsibility to exercise professionalism and competence when dealing with members of the school community.

Members of the school community include, but are not limited to, administrators, teachers, staff,parents, guardians, school board members, residents of the school district's community.

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

Guidance: 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 inaccuraciesare not intended to be encompassed by this standard. To uphold this standard an educator should be honest when reporting data and information to the ADE, the Arkansas 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 tosubmit 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 tonote that noncompliance with mandated child abuse reporting laws also falls within this standard.

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

Guidance: 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, gifts, compensation or favor that might impair or appear to influence professional decision or actions and shall refrain from using the educator's position for personal gain.**

Guidance: 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.**

Guidance: 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. This standard applies to all educators, whether licensed or non-licensed. Licensed educators should be reminded that this standard is in addition to conduct prohibited by law and the Arkansas Department of Education Rules Governing



Testing Improprieties. The StateBoard may take direct action to revoke, suspend, or place on probation, the license of an educator whose conduct violates this section standard without the filing of an ethics complaint.

**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.

Guidance: 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. Educators shall not knowingly or maliciously disclose confidential information about a student or colleague.

**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,
- 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.

Guidance: 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.

## SANCTION GUIDELINES FOR ETHICAL VIOLATIONS (approved by PLSB 6-5-2017)

(Private)	Level 1 Public Notification	Level 2 Public Notification	Level 3 Public Notification:	Level 4 Public Notification
<b>Letter of Caution</b>	<b>Licensure Action: Written Reprimand</b>	<b>Licensure Action: Probation</b>	<b>Licensure Action: Suspension or Temporary Nonrenewal</b>	<b>Licensure Action: Revocation or Permanent Nonrenewal</b>
To privately inform that the conduct is broadly speaking a violation but the circumstances and mitigating factors do not warrant disciplinary action; No Fine	To publicly admonish and caution that further unethical conduct will lead to a more severe action; Fine imposed up to \$100	To publicly admonish and place conditions or requirements on the educator and/or status of a license for a specified period of time; Fine imposed up to \$250	To publicly admonish and place conditions or requirements on the educator; to notify the public that during the specified period the educator is not recommended for licensure or employment or volunteering in an education setting; and to temporarily invalidate an educator's license for a specified period of time; Fine imposed up to \$500	To notify the public that the educator is not recommended for employment or volunteering in an educational setting, is not eligible for future licensure, and to permanently invalidate an educator's license; Fine imposed up to \$500
<b>Weighting factors (one or more present):</b>	<b>Weighting factors (one or more present):</b>	<b>Weighting factors (one or more present):</b>	<b>Weighting factors (one or more present):</b>	<b>Weighting factors (one or more present):</b>
<ul style="list-style-type: none"> <li>a. Only one incident</li> <li>b. Actions are viewed as unethical, but do not warrant disciplinary action</li> <li>c. Negligent or reckless act or omission, but very low in severity</li> <li>d. No detrimental impact on students</li> <li>e. No prior history of similar behavior</li> </ul>	<ul style="list-style-type: none"> <li>a. Only one violation</li> <li>b. Actions are viewed as unethical, and if continued could have a detrimental impact on students</li> <li>c. No prior history of similar behavior</li> <li>d. Some low-level negative impact on student</li> <li>e. Low level of damage to, loss of or misuse of school district property or</li> </ul>	<ul style="list-style-type: none"> <li>a. One or more violations</li> <li>b. Evidence of some prior history of similar behavior</li> <li>c. Some low to moderate level negative impact on student</li> <li>d. Moderate level of damage to, loss of, or misuse of school district property or funds</li> <li>e. Knew that actions violated the Code of Ethics</li> </ul>	<ul style="list-style-type: none"> <li>a. Multiple violations</li> <li>b. Violations that occur over a period of years</li> <li>c. Moderate to high level of negative impact on student</li> <li>d. Moderate to high level of damage to, loss of, or misuse of school district property or funds</li> <li>e. Willful or intentional violation of the Code of Ethics</li> </ul>	<ul style="list-style-type: none"> <li>a. Multiple violations</li> <li>b. Violations that occur over a period of years</li> <li>c. Moderate to high level of negative impact on student</li> <li>d. High level of damage to, loss of, or misuse of school district property or funds</li> <li>e. Willful or intentional violation of the Code of Ethics</li> <li>f. Act of child maltreatment</li> <li>g. Criminal offense involving a student</li> </ul>

	f. funds Reasonably should have known that actions violatedthe Code of Ethics			
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**PART 2**  
***Roles and Responsibilities***  
**Role of the Intern**

Interns are students of teaching. To study teaching is the main goal in the internship experience. The internship experience provides an opportunity for students to develop teaching skills while working with students and subject matter under supportive supervision in an actual classroom situation. The experience furnishes a learning situation for interns to demonstrate the knowledge, skills, and disposition indicating a “readiness” to teach and warrants recommendation for their standard licensure.

**The Intern should:**

1. Be aware that internship is a primary responsibility and attendance and preparation should reflect the seriousness of this responsibility.
2. Promptness and dependability are professional characteristics. Any employing school district has a right to expect teachers of the district possess these characteristics. Internship is one opportunity to demonstrate these characteristics. The internship experience is a full day requirement for a minimum of 15 weeks. The full day is defined by the policy of the school as to what constitutes the school day. For example, Russellville schools define the school day as being 7:45 a.m. to 4:00 p.m. Each intern is expected to observe the full school day. Any deviation might include such things as arriving late, leaving early, or leaving campus during the conference or planning period. Continuous infractions may result in the intern being dropped from internship. Any absence requires the Mentor Teacher, Campus-based Supervisor or Tech Liaison and the Director of Teacher Education Student Services be notified as early as possible. If the cause is not of an emergency nature, prior approval should be obtained. If the cause is an emergency, the Campus-based supervisor and Director of Teacher Education Student Services should be contacted as soon as possible. Any days missed, for whatever reason, will be required to be made up.
3. Take part in regularly scheduled evaluation conferences with the Field-based supervisor, the Cohort supervisor, and/or the Campus-based supervisor as appropriate to placement; take and act upon constructive feedback positively and in a professional manner.
4. Maintain a personable and caring, but professional relationship with the students.
5. Recognize and assume the responsibility for handling confidential information
6. Examine one’s attitudes toward and expectations for the students. In doing so, one should:
  - respect the student as a person
  - recognize the worth of each student
  - recognize what is reasonable to expect from students in terms of maturity, motivation, and responsibility
  - temper language to suit the classroom environment
  - maintain acceptable disciplinary techniques in cooperation with the mentor teacher(s)
7. Dress according to the school's standards and in line with the Dress Code Policy found on the Teacher Education website at: <http://www.atu.edu/teachereducation/>.
8. Be familiar with school policies and services.
9. Perform according to licensure standards and ethics.

## **Roles of Mentor Teachers: Cohort Supervisor or Field-Based Supervisor**

The major role of a supervisor is to act as a mentor and professional role model. For the intern, the mentor teacher reflects the reality of the teaching profession and must guide and coach the intern toward the role of a professional educator. In this supportive role, the student intern should have the opportunity to test different models of instruction and classroom approaches to guide and improve his or her developing experience with the supervisor's guidance and support.

### **Mentor Teachers should:**

1. Model professional behavior for the intern—professional behavior toward students, toward administration and colleagues, toward the community, and toward the intern.
2. Plan for the arrival of the intern by:
  - providing a work place for the intern
  - providing a set of texts or other needed materials
  - providing class/school schedules and student rosters
  - providing policy handbooks, both for faculty and students  
reading the Internship Handbook (found on the ATU Teacher Education website at: <http://www.atu.edu/teachereducation/>)
  - completing the short training videos found at the aforementioned site
3. Welcome the intern as a colleague would be welcomed remembering to:
  - introduce the intern to administration, colleagues and students
  - invite the intern for lunch with teachers
  - point out bathroom, lounges, etc.
4. Explain:
  - school discipline policies
  - classroom management plans
  - class schedules/school schedules - arrival and departure times
  - special assignments of duties and activities such as cheerleading sponsor, senior class sponsor, lunchroom duty, and committee assignments
5. Model professional behavior in the areas of:
  - planning
  - use of a variety of teaching strategies
  - human relation skills
  - evaluation of students
  - relationships with students, administration, and colleagues
6. Provide opportunities for the intern to move gradually into the professional role of teacher.
7. Give constructive criticism as needed for the purpose of increased professional growth. Genuine praise for a job well done is an essential part of the process.

8. The Cohort Supervisor (CS) will evaluate the intern four times using the TESS (FFT) and Arkansas Teaching Standards (InTASC)-aligned [and for some programs (e. g., Middle Level, Health and Physical Education, etc.), program standards-aligned] observation form. The CS will share the results of the observation with the intern and electronically submit the four observations to the Director of Teacher Education Student Services, and be responsible for recommending a final grade to the Director of Teacher Education Student Services. The Field-based Supervisor will work with the Campus-based Supervisor to evaluate intern performance.
9. Immediately contact the Campus-based Supervisor or Director of Teacher Education Student Services, as appropriate, if problems arise, or there is any indication the intern may be unable to successfully complete the internship experience. This may include, but is not limited to, deficiencies in subject matter, unprofessional dress or speech, lack of preparation concerning teaching assignments, excessive tardiness or absenteeism, inflexibility in terms of acceptance of constructive criticism, and unprofessional relationships with students or colleagues.

## Roles of Campus-Based Supervisor and Director of Teacher Education Student Services

The university Campus-based supervisor provides the link between the university and the public school and should encourage a “team effort” during the internship experience when working with student interns and Field-based supervisors. In addition, the Campus-based supervisor is involved in orientation, supervision, evaluation, and overall concern for the program.

### Campus-based Supervisors and Director of Teacher Education Student Services should:

1. Meet with the school site personnel (principal and mentor teacher) to provide them with, and support them in fulfilling the university policies for internship as outlined in the Intern Clinical Experiences Agreement between Arkansas Tech University and Public-School Districts (*Policies and Procedures Manual*).
2. Cooperate with the school site personnel and help the intern to make the transition from being a college student to becoming a well-adjusted teacher.
3. Establish a policy of working “with” the school site personnel instead of “around” them.
4. Help interns analyze their behavior. (Portable videotaping equipment is available through the education department of the university)
5. Explain expectations to both school site personnel and interns.
6. Be available to the mentoring teacher(s) as a resource person.
7. Work with the mentoring teacher(s) in evaluating the teaching experiences in terms of growth in understanding of the knowledge, performance & disposition needed in classroom instruction.
8. Visit with the intern and mentoring teachers(s) at least four times per semester and more often if necessary.
9. Report in writing to the Director of Teacher Education Student Services the name and circumstances in regard to students whom you believe will receive a “C” or below in internship at the earliest possible date in the semester.
10. The Campus-based supervisor at the traditional triad site will evaluate the intern formally at least four times using the Formative Observation and Intervention Form and share the results of the evaluation with the intern and mentoring teacher(s). CSs evaluate the interns at cohort schools and the Director of Teacher Education Student Services may be called upon to evaluate intern’s performance as well. These formal evaluations are electronically submitted to the Office of Teacher Education Student Services by the Campus-based supervisor.
11. Ensure that on-line evaluation forms are completed.
12. The Campus-based supervisor at the traditional triad site is responsible for assigning and submitting a final grade to the registrar. Cohort supervisors at cohort sites assign and submit grades to the Director of Teacher Education Student Services.

## **Roles of the Director of Teacher Education Student Services**

The Director is responsible for planning and overseeing the Internship Program at all sites. The Director is responsible for maintaining a high-quality program and collecting information necessary to determine its effectiveness.

### **Director of Teacher Education Student Services should:**

1. Provide leadership to personnel who work with the interns in establishing criteria for selecting school sites and mentoring teachers, and in admitting students to the internship program.
2. Locate and secure qualified mentor teachers and Field-based sites for the internship experience for all teacher preparation programs.
3. Acquaint administrative personnel in the Field-based sites with the overall policies regarding the internship experience.
4. Help establish policies and agreements with school administrations and Board of Education in the cooperating systems regarding the placement of interns and the operation of the internship program.
5. Place interns in Field-based sites with the help of superintendents, principals, and mentoring teachers.
6. Notify principals and the mentoring teachers of the date on which interns are expected to report to the school to begin work and of the date on which interns are expected to return to the university campus.
7. Provide leadership in promoting the training program for mentoring teachers.
8. Assist in preparing and providing suggested guidelines for mentoring teachers to assist them in their work.
9. Assist in carrying on systematic evaluation of the internship experience for all programs.



## **Roles of Other Professionals Involved in the Internship Experience**

### **The Superintendent and Board of Education should:**

1. Show interest in having interns placed in the school system.
2. Provide adequate facilities and instructional material for effective teaching.
3. Assist the site-based principals and mentoring teachers in creating constructive attitudes in the school and community towards interns.
4. Assure that the schools exemplify high standards of education.
5. Assist mentoring teachers in adjusting their work to absences that are necessitated by participation in the teacher education program.

### **The Principal should:**

1. Show interest in having interns in the school and in working with mentoring teachers, interns, Campus-based supervisors, and liaison.
2. Have a good working relationship with the faculty, students, superintendent and community.
3. Show interest in helping interns solve problems that may arise in internship.
4. Provide leadership in interpreting the internship experience to the faculty, the students and the community.
5. Interpret the school policies, the curriculum, and the nature of the community to the intern.
6. Assist the mentoring teachers in creating constructive attitudes toward interns.
7. Arrange for the mentoring teacher(s) to have at least one "free period" a day when working with an intern; the time should be used for planning conferences with the intern.

### **Other Teachers should:**

1. Help to create a professional climate in the building so the intern may work with professional people. Build and maintain this climate in the teachers' lounge, coffee area, and lunchroom.
2. Extend professional ethics to include the intern by refraining from:
  - Adverse criticisms on the teaching profession
  - Criticisms of other teachers and the school
  - Betrayal of confidence concerning pupils, teachers, and parents
3. Accept the intern as a member of the staff.
4. Provide guidance and assistance to the intern as would be accorded any new teacher.
5. Plan with the principal, mentoring teacher(s), and intern for observations of one's classroom when requested.

6. Share with the intern the personal materials, knowledge, and insight gained through the teaching experience.

**PART 3**  
***Evaluation***  
**Evaluation of the Intern**

Evaluation of the intern is a continuous process. The evaluation procedure is explained to, and discussed with, the intern who becomes a part of the evaluation team. Areas of strengths and weaknesses are discussed along with specific suggestions and recommendations. Formative evaluation will be ongoing.

The Formative Observation and Intervention Form will be completed by the Campus-based Supervisor or Cohort supervisor a minimum of four (4) times during the internship experience. The instrument is used as a basis for post-teaching conferences to provide feedback for reflection and to guide goal setting for continuous professional development.

The formal summative instrument used for evaluation at the end of the internship is the Professional Standards and Expectations Survey. The Professional Standards and Expectations Survey is a comprehensive list of licensure standards that interns are expected to exhibit during the internship experience at all sites. In addition, the mentoring teacher is asked to evaluate the program of preparation and ATU's support and supervision provided during internship using appropriate forms which are made available by email toward the end of the semester.

The purpose of the evaluation process is to improve the clinical experience for Arkansas Tech University Interns.

## Intern Grades

The progress toward goals and objectives should be noted, recorded, and discussed periodically. When evaluating the intern for grading purposes, the appropriate mentoring teacher should base decisions upon the following evaluation guidelines:

### **FOR GRADE "C"**

**Intern should approximate the following requirements:**

1. Be regular in attendance; be on time in arrival and departure.
2. Dress professionally.
3. Complete all required work on time.
4. Be cooperative and professional at all times.
5. Take and act upon constructive feedback positively in a professional manner.
6. Keep lesson plans on file for each lesson for which they have primary responsibility.
7. Keep students engaged in worthwhile activities the full period.
8. Demonstrate appropriate management skills.
9. Meets most professional standards and expectations.
10. Integrate technology into curriculum.

### **FOR GRADE "B"**

**Satisfy all conditions for a grade of "C" and approximate the following:**

1. Show initiative in carrying out responsibilities and show attention to detail.
2. Demonstrate the ability to select activities.
3. Elicit positive responses from the students.
4. Show growth and demonstrate reflective thinking.
5. Meets professional standards and expectations.
6. Enhance learning with the use of appropriate technology.

### **FOR GRADE "A"**

**Satisfy all conditions for a grade of "B" and approximate the following:**

1. Exhibit outstanding and consistent initiative and originality in carrying out responsibilities.
2. Exhibit masterful application of principles of learning and teaching through demonstrating an outstanding ability to select activities.
3. Elicit positive and sustained response from the students.
4. Show significant growth and increase in reflective thinking.
5. Meets or exceeds professional standards and expectations.
6. Demonstrate use of technology as a substantive tool for learning.

If the intern receives a grade below "C", the intern is not recommended for licensure and is obligated to repeat the internship experience. If it appears that the student will receive a grade below "C", the Campus-based Supervisor or liaison, as appropriate, must inform the Director of Teacher Education Student Services of the problem and alternatives discussed with the intern. This disclosure should be made in a timely manner so the intern can withdraw from internship if remediation efforts are not successful.

**Student Internship Formative Observation Form**  
**EXAMPLE for Elementary Education, Secondary Education, Master of Arts in Teaching, and Master of Education in Teaching, Learning, and Leadership – Non-Traditional Licensure**

The Formative Observation and Intervention Form was adapted from Danielson’s Framework for Teaching; the Arkansas Teacher Excellence Support System (TESS) is built around these:

- Domain 1: Planning and Preparation
- Domain 2: The Classroom Environment
- Domain 3: Instruction
- Domain 4: Professional Responsibility

It includes 22 Elements of good teaching and is aligned to the Arkansas Teaching Standards (InTASC Standards). These 10 standards are grouped into four categories. They include:

- The Learner and Learning
  - Standard #1 Learner Development
  - Standard #2 Learning Differences
  - Standard #3 Learning Environments
- Content
  - Standard #4 Content Knowledge
  - Standard #5 Application of Content
- Instructional Practice
  - Standard #6 Assessment
  - Standard #7 Planning for Instruction
  - Standard #8 Instructional Strategies
- Professional Responsibility
  - Standard #9 Professional Learning and Ethical Practice
  - Standard #10 Leadership and Collaboration

Links for formative observation forms to be completed by Cohort Teacher or Campus Based Supervisor:

<http://www.atu.edu/education/surveys.php>

## **Student Internship Formative Observation and Form EXAMPLE for Middle Level Education**

The Formative Observation and Intervention Form was aligned to the AMLE Standards and adapted from Danielson's Framework for Teaching; the Arkansas Teacher Excellence Support System (TESS) is built around these:

- Domain 1: Planning and Preparation
- Domain 2: The Classroom Environment
- Domain 3: Instruction
- Domain 4: Professional Responsibility

It includes all the National AMLE Standards and 22 Elements of good teaching and is aligned to the Arkansas Teaching Standards (INTASC Standards). These 10 standards are grouped into four categories. They include:

- The Learner and Learning
  - Standard #1 Learner Development
  - Standard #2 Learning Differences
  - Standard #3 Learning Environments
- Content
  - Standard #4 Content Knowledge
  - Standard #5 Application of Content
- Instructional Practice
  - Standard #6 Assessment
  - Standard #7 Planning for Instruction
  - Standard #8 Instructional Strategies
- Professional Responsibility
  - Standard #9 Professional Learning and Ethical Practice
  - Standard #10 Leadership and Collaboration

Links for formative observation forms to be completed by Cohort Teacher or Campus Based Supervisor:

<http://www.atu.edu/education/surveys.php>

## The Exit Portfolio

### For Elementary Education, Middle Level Education, Secondary Education, Master of Arts in Teaching, and Master of Education in Teaching, Learning, and Leadership – Non-Traditional Licensure

A Standards-Based Presentation of Evidence for the Licensure of Beginning Teachers. You will find a full description with an overview and guidelines on the Teacher Education page on the College of Education and Health and Health website.

**Purpose:** The exit portfolio is a performance-based assessment completed during the student internship.

- It should contain documentation of the essential teaching skills and dispositions as required by the Arkansas Teaching Standards (INTASC Standards) and aligned with the domains of Danielson’s Framework for Teaching used in the Arkansas Teacher Excellence Support System (TESS).
- Whereas, the College uses the Internship Formative Observation Forms to particularly measure attainment of TESS Domains 1-3 and Arkansas Teaching/InTASC Standards 1-8, the College uses the Exit Portfolio to especially measure TESS Domains 1 and 4 and Arkansas Teaching/InTASC Standards 8-9.
- ***To be recommended for licensure, you must successfully complete the exit portfolio.***

**Process:**

- All evidence included in the Exit Portfolio should be developed during your internship experience.
- The Exit Portfolio should include select and significant examples of standards-based growth, performance, and reflection evidenced through the 4 Exit Portfolio Tasks.
- The appearance of the portfolio should not overshadow its contents; however, be professional in presentation caring for organization, technical detail and thoughtful reflection. Choose a format that allows easy access to materials included. Use 12 pt. Times New Roman font and double spacing. Be sure to include your name on the cover or title page.

**Products:**

- Rubrics for evaluating the evidence presented in the Exit Portfolio are provided with the guidelines for development.
- ***You must complete all portfolio tasks to be recommended for licensure. Any task that is rated below “acceptable” must be revised until satisfactory completion is achieved.***
- **Any case of academic dishonesty in completion of the portfolio will be addressed following the procedures outlined in the Arkansas Tech University Undergraduate Catalog.**
- Please refer to the table on the following page, which provides an overview of what is to be included in your exit portfolio.
- In all education programs, candidates must demonstrate the attainment, in their exit portfolio, of applicable Arkansas Teaching/InTASC Standards and the TESS Domains and criteria.
- For each task, a template is provided for completion of the task and submission purposes.
- For some programs, certain artifacts are necessary to demonstrate attainment of program standards (e.g., AMLE, SEED, etc.).