

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES  
GOVERNING CODE OF ETHICS

PUBLIC COMMENTS AND RESPONSES

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Commenter Name: Lucas Harder, Arkansas School Boards Association (12/20/2021)

Comment (1): In Section 5.00: Due to the deletion of 5.05, all of those following 5.05 should actually be one number less than they are in the rules.

Division Response: Comment considered. **Non-substantive changes made.**

Comment (2): In Section 5.30: There is a comma missing from between “requirements” and “or” here twice.

Division Response: Comment considered. **Non-substantive changes made.**

Comment (3): In Section 6.00, Standard 7: “state law or regulations” should be changed to “state law or rule”. “required by law or regulations” should be changed to “required by law, rule, or regulation.”

Division Response: Comment considered. **Non-substantive changes made.**

Comment (4): In Section The numbering appears to jump from 9.03.3 all the way to 9.06.

Division Response: Comment considered. **Non-substantive changes made.**

Comment (5): In Section 17.01: “Procedures” should be “Procedure”.

Appendix C, Standard 7: FERPA is the “Family Educational Rights and Privacy Act” rather than the “Federal”.

Division Response: Comment considered. **Non-substantive changes made.**

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Commenter Name: Tripp Walter, APSRC, (01/27/2022)

Comment: Summary of timeline for the Ethics Complaint Process- Appendix A: “Educator Action-Response of Educator to Ethics Complaint”: Under this section, the time period stated in the “Deadline” section is “30 calendar days after receiving notice”. The stated time period does not seem to appear in Ark. Code Ann. §6-17-428, as amended by Act 96 of 2021. Was this intentional or an oversight? If intentional, what is the basis for the 30-day time period?

Division Response: This timeline has been an internal timeline and is not statutory. Nothing in Act 96 of 2021 changed that listed response time. This allows time for the educator to gather their thoughts prior to responding to the allegations against them.