

TEACHER STANDARDS AND PRACTICES COMMISSION

DIVISION 20

STANDARDS FOR COMPETENT AND ETHICAL PERFORMANCE OF OREGON EDUCATORS

584-020-0000

Application of Rules

(1) Oregon Administrative Rules 584-020-0005 through 584-020-0045 were adopted by the Teacher Standards and Practices Commission in accordance with Oregon Revised Statute 342.175(5).

(2) OAR 584-020-0005 through 584-020-0045 may be used as criteria by the Teacher Standards and Practices Commission in matters pertaining to the revocation or suspension of licenses or registrations issued by the Commission under ORS 342.120 to 342.200, or the discipline of any license or registration holder or any person who has held a license or registration at any time within five years prior to issuance of the notice of charges under ORS 342.176.

(3) The Commission determines whether an educator's performance is ethical or competent in light of all the facts and circumstances surrounding the educator's performance as a whole.

(4) The Commission directs the Executive Director to promptly begin the investigation of complaints, reports or information related to educator misconduct under the following conditions:

(a) The Executive Director may delay investigating an educator against whom a complaint has been filed under ORS 342.176 when:

(A) The investigation report or other information indicates that disciplinary action against the educator is pending at the local district level; or

(B) When criminal charges are pending or are likely to be filed against the educator.

(b) In considering whether to delay an investigation or defer recommending action to charge an educator, the Executive Director will consider all relevant circumstances including the nature and seriousness of the allegations and whether the educator is currently employed in the public schools.

(c) The Executive Director will regularly inform the Commission of the status of any complaints, reports or information of misconduct on which the Executive Director has deferred action.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TS 7-1983, f. & ef. 12-14-83; TS 1-1987, f. & ef. 3-3-87; TS 2-1988, f. & cert. ef. 4-7-88; TS 7-1989, f. & cert. ef. 12-13-89; TS 1-1992, f. & cert. ef. 1-15-92; TS 4-1997, f. 9-25-97, cert. ef. 10-4-97; TSPC 5-1999(Temp), f. & cert. ef. 8-24-99 thru 2-19-00; TSPC 7-1999, f. & cert. ef. 10-8-99; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0005

Definitions

The following definitions apply to Oregon Administrative Rules 584-020-0000 through 584-020-0045 unless otherwise indicated by context:

- (1) "Administrator:" Any educator who holds a valid Oregon Administrative License or registration and who works in a position requiring an administrative license pursuant to OAR 584-005-0005(1).
- (2) "Competent:" Discharging required duties as set forth in these rules.
- (3) "Educator:" Any licensed or registered, or certified person who is authorized to engage in an instructional program including teaching, counseling, school psychology, administering, and supervising.
- (4) "Ethical:" Conforming to the professional standards of conduct set forth in these rules.
- (5) "Sexual Conduct:" Any conduct with a student which includes but is not limited to:
 - (a) The intentional touching of the breast or sexual or other intimate parts of a student;
 - (b) Causing, encouraging, or permitting a student to touch the breast or sexual or other intimate parts of the educator;
 - (c) Sexual advances or requests for sexual favors directed towards a student;
 - (d) Verbal or physical conduct of a sexual nature when directed toward a student or when such conduct has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment; or
 - (e) Verbal or physical conduct which has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment.
- (6) "Sexual harassment:" Any unwelcome conduct with an individual which includes but is not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - (c) Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
- (7) "Teacher:" Any person who holds a teacher's license as provided in ORS 342.125.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-29-79, ef. 1-1-80; TS 1-1987, f. & ef. 3-3-87; TS 2-1988, f. & cert. ef. 4-7-88; TS 7-1989, f. & cert. ef. 12-13-89; TS 1-1992, f. & cert. ef. 1-15-92; TSPC 8-1998, f. & cert. ef. 12-9-98; TSPC 5-1999(Temp), f. & cert. ef. 8-24-99 thru 2-19-00; TSPC 7-1999, f. & cert. ef. 10-8-99; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0010

The Competent Educator

The educator demonstrates a commitment to:

- (1) Recognize the worth and dignity of all persons and respect for each individual;
- (2) Encourage scholarship;
- (3) Promote democratic and inclusive citizenship;

- (4) Raise educational standards;
- (5) Use professional judgment; and
- (6) Promote equitable learning opportunities.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.143 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0015

Curriculum and Instruction

(1) The competent educator measures success by the progress of each student toward realization of personal potential as a worthy and effective citizen. The competent educator stimulates the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of goals as they are appropriate for each individual.

(2) The competent teacher demonstrates:

- (a) Use of state and district adopted curriculum and goals;
- (b) Skill in setting instructional goals and objectives expressed as learning outcomes;
- (c) Use of current subject matter appropriate to the individual needs of students;
- (d) Use of students' growth and development patterns to adjust instruction to individual needs consistent with the number of students and amount of time available; and
- (e) Skill in the selection and use of teaching techniques conducive to student learning.

(3) The competent administrator demonstrates:

- (a) Skill in assisting individual staff members to become more competent educators by complying with federal, state and local laws, rules, and lawful and reasonable district policy and contracts;
- (b) Knowledge of curriculum and instruction appropriate to assignment;
- (c) Skill in implementing instructional programs through adequate communication with staff; and
- (d) Skill in identifying and initiating any needed change which helps each student toward realization of personal learning potential.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.143 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TS 7-1983, f. & ef. 12-14-83; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0020

Supervision and Evaluation

(1) The competent educator is a student of human behavior and uses this knowledge to provide a climate that is conducive to learning and that respects the rights of all persons without discrimination. The competent educator assumes responsibility for the activities planned and conducted through the district's program, and assists colleagues to

do the same. The competent educator gathers relevant information and uses it in the planning and evaluation of instructional activities.

(2) The competent teacher demonstrates:

- (a) Multiple ways to assess the academic progress of individual students;
- (b) Skill in the application of assessment data to assist individual student growth;
- (c) Procedures for evaluating curriculum and instructional goals and practices;
- (d) Skill in the supervision of students; and
- (e) Skill in differentiating instruction.

(3) The competent administrator demonstrates:

- (a) Skill in the application of assessment data to provide effective instructional programs;
- (b) Skill in the implementation of the district's student evaluation program;
- (c) Skill in providing equal opportunity for all students and staff; and
- (d) Skill in the use of employee and leadership techniques appropriate to the assignment and according to well established standards which ensure due process for the staff for which the administrator is responsible for evaluating.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.143 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TS 7-1983, f. & ef. 12-14-83; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0025

Management Skills

(1) The competent educator is a person who understands students and is able to relate to them in constructive and culturally competent ways. The competent educator establishes and maintains good rapport. The competent educator maintains and uses records as required, and as needed to assist the growth of students.

(2) The competent teacher demonstrates skills in:

- (a) Establishing and maintaining classroom management that is conducive to learning;
- (b) Using and maintaining district property, equipment, and materials appropriately;
- (c) Using and maintaining student records as required by federal and state law and district policies and procedures;
- (d) Using district and school business and financial procedures; and
- (e) Using district lawful and reasonable rules and regulations.

(3) The competent administrator demonstrates:

- (a) Leadership skills in managing the school, its students, staff, and programs as required by lawful and reasonable district policies, rules, and regulations, state and federal laws and regulations, and other programs as assigned, and assures that staff is informed of these requirements; and

(b) Skills in planning and staff assignment.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.143 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TS 7-1983, f. & ef. 12-14-83; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0030

Human Relations and Communications

(1) The competent educator works effectively with others -- Students, staff, parents, and patrons. The competent educator is aware of the ways the community identifies with the school, as well as community needs and ways the school program is designed to meet these needs. The competent educator can communicate with knowledge, clarity, and judgment about educational matters, the school, and the needs of students.

(2) The competent teacher demonstrates:

(a) Willingness to be flexible in cooperatively working with others; and

(b) Skill in communicating with administrators, students, staff, parents, and other patrons.

(3) The competent administrator demonstrates:

(a) Skill in helping students, staff, parents, and other patrons to learn about the school, the district and its program;

(b) Skills in communicating district and school goals to staff and the public;

(c) Willingness to be flexible in cooperatively working with others; and

(d) Skill in reconciling conflict.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.143 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0035

The Ethical Educator

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing the ethical educator considers the needs of the students, the district, and the profession.

(1) The ethical educator, in fulfilling obligations to the student, will:

(a) Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and the student's family;

(b) Refrain from exploiting professional relationships with any student for personal gain, or in support of persons or issues; and

(c) Maintain an appropriate professional student-teacher relationship by:

(A) Not demonstrating or expressing professionally inappropriate interest in a student's personal life;

(B) Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;

(C) Reporting to the educator's supervisor if the educator has reason to believe a student is or may be becoming romantically attached to the educator; and

(D) Honoring appropriate adult boundaries with students in conduct and conversations at all times.

(2) The ethical educator, in fulfilling obligations to the district, will:

(a) Apply for, accept, offer, or assign a position of responsibility only on the basis of professional qualifications, and will adhere to the conditions of a contract or the terms of the appointment;

(b) Conduct professional business, including grievances, through established lawful and reasonable procedures;

(c) Strive for continued improvement and professional growth;

(d) Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties; and

(e) Not use the district's or school's name, property, or resources for noneducational benefit or purposes without approval of the educator's supervisor or the appointing authority.

(3) The ethical educator, in fulfilling obligations to the profession, will:

(a) Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;

(b) Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities; and

(c) Respond to requests for evaluation of colleagues and keep such information confidential as appropriate.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.143 & 342.175 - 342.190

Hist.: TS 5-1979, f. 12-19-79, ef. 1-1-80; TS 7-1983, f. & ef. 12-14-83; TS 7-1989, f. & cert. ef. 12-13-89; TSPC 8-1998, f. & cert. ef. 12-9-98; TSPC 7-2007, f. & cert. ef. 12-14-07

584-020-0040