



Arizona State Board of Education

2019
Enforcement Action Report

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Purpose of the Enforcement Action Report

Arizona has a complex public education system which serves 1.1 million students¹. School districts, and many charter school networks, require their teachers to be certified. Pursuant to A.R.S. §§ 15-203(A)(14) and 15-203(A)(20) the State Board of Education (Board) is responsible for imposing discipline (Enforcement Actions) on the certificates of educators who have acted with unprofessional or immoral conduct. It is important to note, that the Enforcement Actions in this research only represent the cases that are received and then adjudicated by the Board, and does not include all allegations reported to the Investigative Unit.

In an effort to better understand disciplinary trends occurring in the state of Arizona, Board staff began gathering data on these Enforcement Actions in 2017. For the purpose of this report, instances of unprofessional or immoral conduct are simply defined as 'misconduct.' Board staff accumulated cases from January 2012 through June 2019 into the Enforcement Action Database (EADB). The total number of cases tracked for this report is 700 (N). Board staff also tracked the source of report, the gender of the respondent, the certificate held by the respondent, Educator Preparation Program (EPP) of the respondent and the category of the case. Analysis of the EADB has revealed several significant trends and the recognition of these trends is an opportunity to focus on areas of misconduct prevention.

State Education Background

According to the 2018 Annual Report of the Arizona Superintendent of Public Instruction, Arizona is home to over 88,000 certified teachers. Roughly 57,000 certified educators are employed in a district or charter school. Educator certification has a jurisdiction that spans fifteen counties, more than 200 districts, more than 400 charter holders, and 14 Career and Technical Education Districts. The system is comprised of 1.1 million students. Approximately 900,000 of which attend public schools, with the remaining 190,000 attending charter schools¹.

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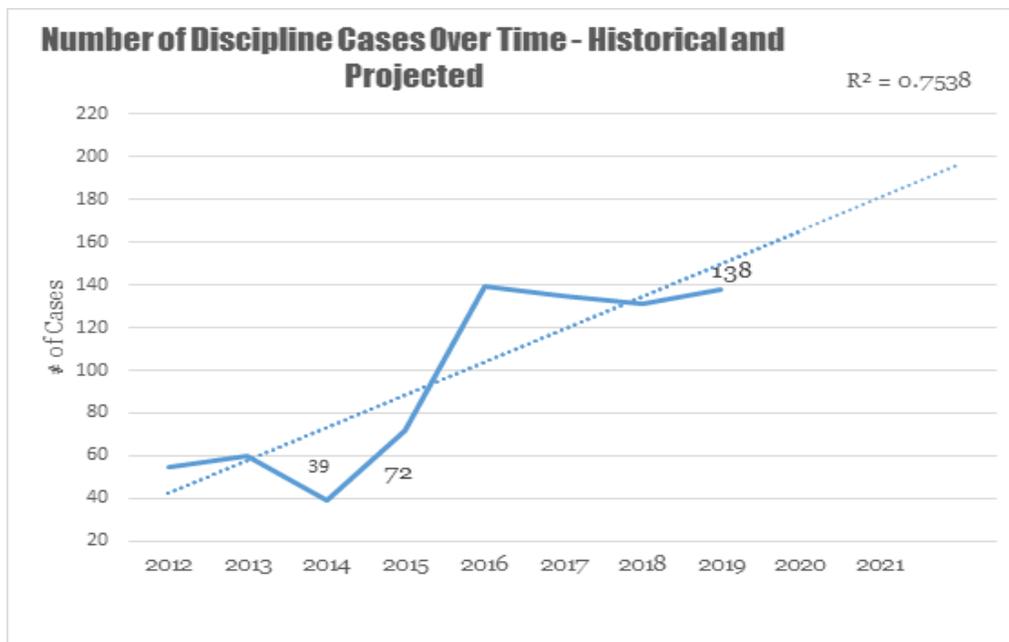
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Number of Cases

The EADB tracked retrospective data ranging from 2012 to present. Data collection efforts are ongoing for all new Enforcement Actions imposed by the Board. The EADB tracks overall numbers of Enforcement Actions.

Exhibit 1 depicts the number of cases adjudicated between 2012 and 2019, as well as offers an expected forecast for 2020 and 2021.

Exhibit # 1



As seen in **Exhibit 1**, the number of Enforcement Actions taken in 2012 (55) is a fraction of the number of Enforcement Actions taken in 2018 (131). The difference in these figures represents a 238% increase in instances of Enforcement Actions. Values for 2019 were estimated based on cases awaiting adjudication in upcoming Board meetings. These are subject to change in later reports once year-end is reached.

There are a number of explanatory variables which attribute to the massive increase in case load. Some growth should be expected because of the increase in Arizona's population. According to census data from 2012 to 2018, there has been a 9.2% increase in population². It can be inferred that a growing population means more students, which requires more teachers, which contributes to higher levels of misconduct.

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The 95% increase between 2015 and 2016 was due to the processing of a large backlog of cases. The dotted line in **Exhibit 1** shows a positive trend throughout this time frame.

By forecasting, Board staff anticipates a steady processing of enforcement actions for 2020 (160).

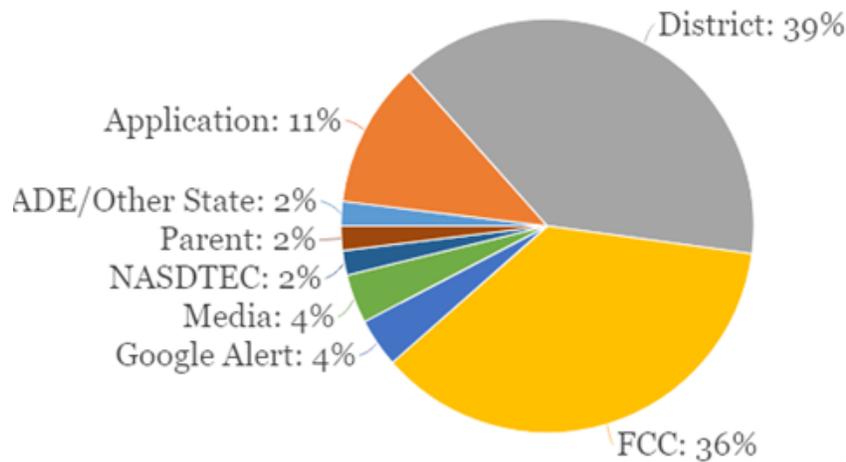
The following data points will represent adjudicated cases from January 2012 to June 2019.

Source of Complaints

Allegations of misconduct are reported to the Department of Education's Investigative Unit, and then sent to the Board after the case has been investigated. Of the 700 cases tracked from January 2012 to June 2019, only 209 of them had a value for "source of report." **Exhibit 2** displays the results of these findings and can be found on the next page. The largest source of report comes from school official reports, accounting for over a third (39%). Department of Public Safety – Fingerprint Clearance Card suspension notices (FCC) typically occur as a result of an arrest, and account for over a third (36%) of adjudicated cases as well. Disclosures from applications for certification represent 11% of adjudicated cases. The remaining 14% of cases are reported by other sources such as parents, Google alerts, traditional media sources, social media, Department of Education and other state agencies and National Association of State Directors of Teacher Education and Certification (NASDTEC) database entries.

Exhibit # 2

Source of Reports



Gender

The total number of valid teaching certificates as of June 2019, and their breakdown by gender are seen in **Exhibit 3**. The data shows that the profession is overwhelmingly fulfilled by females, with a figure of 73.6%. Only 26.4% of educators in Arizona are male.

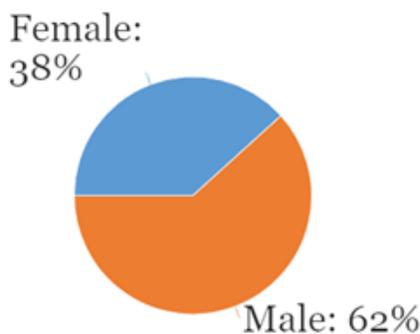
Exhibit # 3

All Issued Certs	
Total	88,552
Female	65,190
Male	23,362

However, when looking at **Exhibit 4**, an opposite trend is apparent. 62% of enforcement actions involve a male respondent, while 38% involve women. This data is seen in **Exhibit 4**.

Exhibit # 4

Instances of Discipline by Gender



When analyzing the rate at which misconduct occurred by gender, the raw numbers from **Exhibit 4** were divided into the numbers of **Exhibit 3**. The results of this equation are shown in **Exhibit 5**.

Exhibit # 5

Rate of Discipline	
Female	0.00125 (> 1/10 of 1%)
Male	0.00572 (> than 1/2 of 1%)
Total Rate	0.00697 (> than 3/5 of 1%)

It is important to note that the rate at which educator misconduct occurs is extremely low. The rate of misconduct during the seven-year time frame shows that only about half of 1% of all certified educators were disciplined by the Board. The figures from this study indicate that men are over four times more likely to commit misconduct than females when reviewing the actions of the half of 1% of all educators disciplined by the Board.

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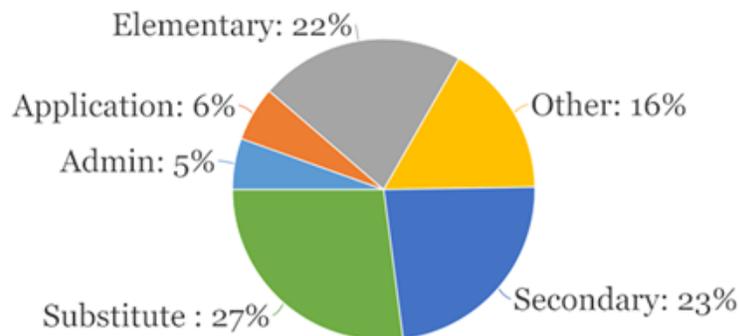
Certificate Type

Certificate type was broken up into 5 different categories:

1. Administrative Certification (Admin)
2. Any Secondary Education Teaching Certification (Secondary)
3. Substitute Teaching Certification (Substitute)
4. Any Elementary Education Teaching Certification (Elementary)
5. Other Infrequent Types of Certification (Other)
6. Applying for any Certification (Application)

Exhibit # 6

Type of Certificate Held by Applicant/Respondent



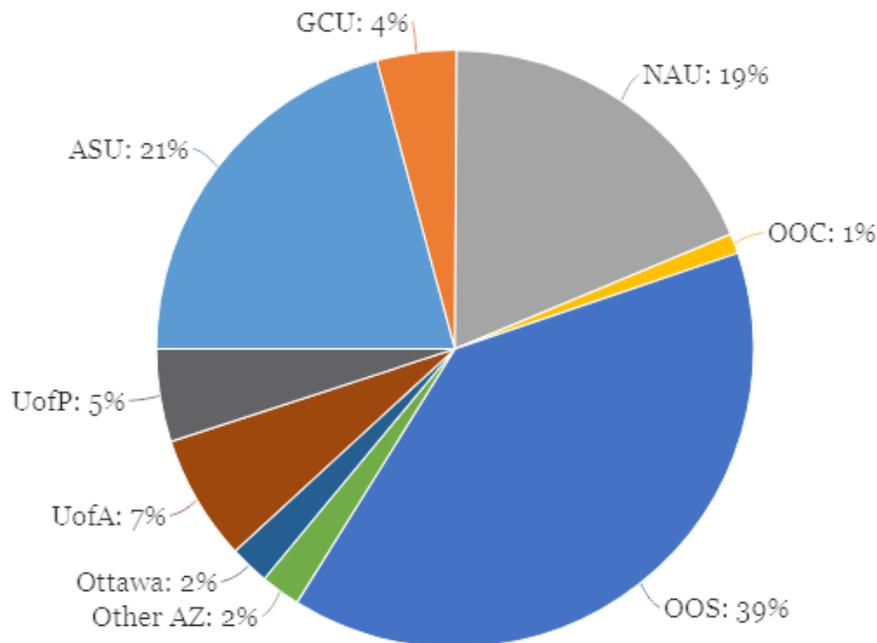
The largest disciplined group, representing more than one-fourth of the adjudicated cases, are educators with Substitute teaching certificates (27%). Educators with Secondary teaching certificates (23%), and educators with Elementary teaching certificates (22%) account for nearly half of all discipline cases.

Educator Preparation Program (EPP)

Information was pulled from a sample size of 279 because many earlier cases in the database did not have a value for EPP, and consequently, a smaller sample size was garnered. The following categories capture 100% of observations in the sample size. This data is outlined in Exhibit 7.

Exhibit # 7

Instances of Discipline by Educator Prep Program



The most noticeable trend in this category is Out of State (OOS) certificate holders. Nearly 40% of all educator misconduct is happening from someone who had completed their educator prep program in another state and has moved to Arizona to teach. It is unknown how many graduates are associated with these EPPs, both in state and out of state, so performing analyses associated with the rate of misconduct by EPP is not possible at this time.

Category of Misconduct

Complaints fall into five categories: sexual offenses, assault, substance abuse, fraud and breach of contract. The largest share of Enforcement Actions result from sexual misconduct, which accounts for 39% of all Enforcement Actions imposed by the Board. Complaints resulting from substance abuse and assault follow, representing 24% and 14% of adjudicated cases, respectively. The results are represented in **exhibit 8**.

Exhibit # 8

Number of Cases by Category

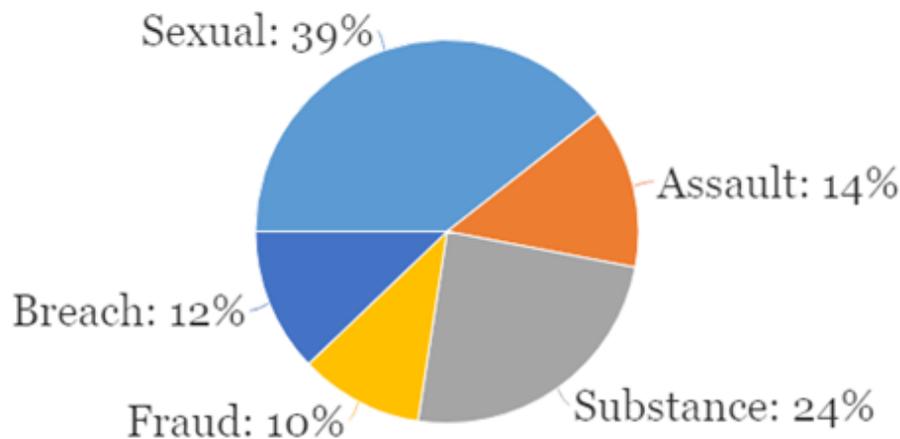
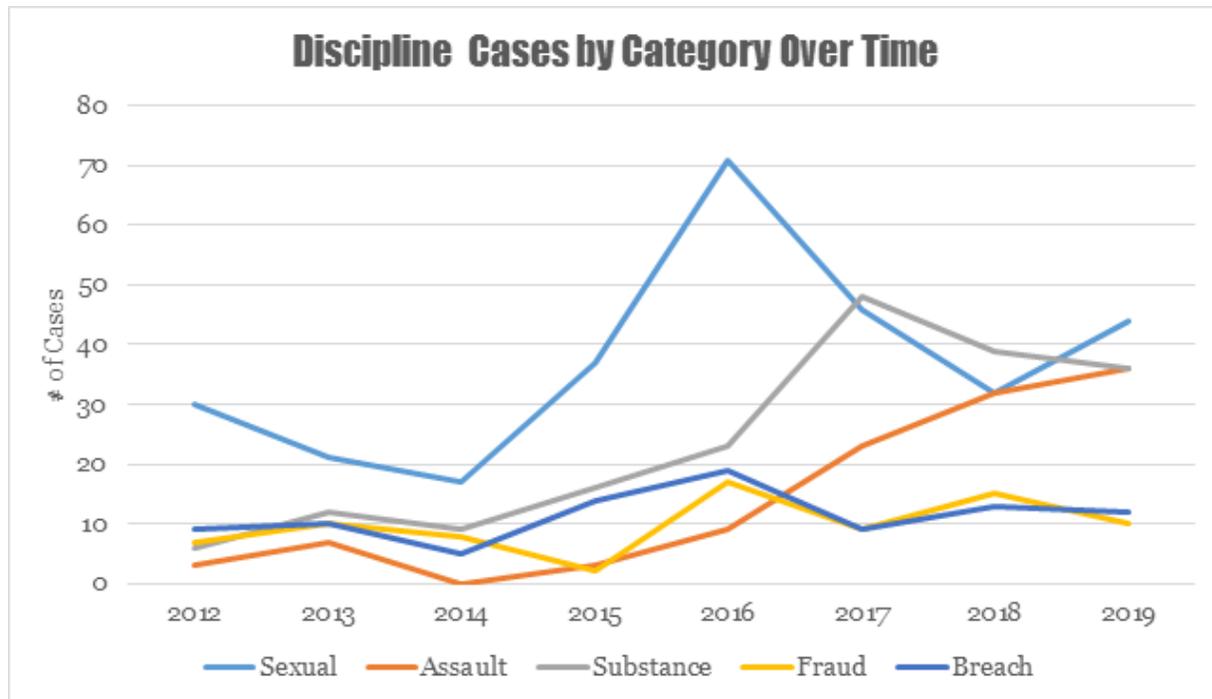


Exhibit 9 shows how each category's numbers have fluctuated over time.

Exhibit # 9



Recommendations

Non-automatic report types, such as, reports from districts, parents, social media and the like, all take place because of intended human intervention. Reports that take place because of human intervention are an invaluable aspect of the disciplinary process, and are always an area for improvement because they do not happen automatically. Pursuant to A.R.S. § 13-620 and A.R.S. § 15-514, school personnel are required to report allegations of child abuse. It is recommended that districts and HR professionals continue to remind educators of this duty to report. Informational handouts detailing the why and when to report, is a great way to increase vigilance in educators and adults to report misconduct.

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Substitute certificate holders account for the largest share of adjudicated cases of misconduct. While most substitute teachers will go their whole career without ever being disciplined by the Board, the numbers suggest this is an opportunity for misconduct prevention. It is recommended that individuals attaining substitute teaching certification should be required to take ethics training. One example of this would be NASDTEC's Model Code of Ethics course, which addresses professional practices for educators, and is approved by the State Board of Education.

Working with EPP's, Board staff recommends a collaborative effort to address the needs of educators completing a degree from one of our universities and those receiving a certificate through reciprocity. Such an effort could create a focus on professional practices and ethics directly related to actions taken by the Board due to specific types of unprofessional and immoral conduct displayed by Arizona certified teachers.

Conclusion

Moving forward, the next step in the misconduct prevention process is to continue the data collection effort and determine if there are other useful qualitative characteristics that should be tracked.

Staff anticipates the Board will have a robust discussion on the potential statutory changes for the 2020 Legislative Session to address areas of concern noted within this report at the Board's 2019 retreat.

References

- (1) [\(FY2018\) Annual Report of the Arizona Superintendent of Public Instruction](#)
- (2) [Resident Population in Arizona](#)