

MODESTO CITY SCHOOLS

Board Policy

BP 4119.21/4219.21/4319.21

PERSONNEL

Professional Standards/Code of Ethics

→ The Governing Board expects District employees to maintain the highest ethical standards, ~~behave professionally~~ **exhibit professional behavior**, follow District policies and regulations, ~~and~~ abide by state and federal laws, **and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in** Employee conduct **that enhances** ~~should enhance~~ the integrity of the District, **advances** ~~and advance~~ the goals of the District's educational programs. ~~Each employee should make a commitment to acquire the knowledge and contributes to a positive school climate skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of District students.~~

The Board encourages District employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of District students.

Staff Conduct with Students

The Board expects all employees to exercise good judgment and maintain professional standards when interacting with current MCS, or minor students in general, both on and off school property, as well as online, in virtual environments and while using all electronically-based social media. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a students; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

Bold Black Underline = MCS Language

Bold Red = CSBA Language

Regular Black = Common Language

→ Denotes changes being suggested

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Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

~~in general, both on and off school property, as well as online, in virtual environments and while using all electronically based social media.~~ Inappropriate employee conduct ~~includes~~ **shall include**, but ~~is~~ not ~~be~~ limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student.
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting District or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on District property, or at a school-sponsored activity

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9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, District employees, or District operations to persons or entities not authorized to receive the information
11. Using District equipment or other District resources for the employee's own commercial purposes or for political activities
12. Using District equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of District technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the District
14. Wearing inappropriate attire

Reports of Misconduct

An employee who observes or has evidence of **another employee's** inappropriate conduct **between another employee and/or a student** shall immediately report such conduct to the Principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse **or neglect** shall file a report pursuant to the District's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

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Any reports of employee misconduct shall be promptly investigated.

Any employee who is found to have engaged in inappropriate conduct with a student in violation of the law or **Board this** policy shall be subject to disciplinary action **and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.**

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The District prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process shall be subject to discipline.

Notifications

The section(s) of the District's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or District web sites. (Education Code 44050)

Legal References:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

44050 Employee code of conduct; interaction with students

44242.5 Reports and review of alleged misconduct

48980 Parental notifications

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status, alleged misconduct

80331-80338 Rules of conduct for professional educators

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Management Resources:

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATION

Standards for School Leaders, ~~1996~~ **2015**

NATIONAL EDUCATION ASSOCIATION PUBLICATION

Code of Ethics of the Education Profession, 1975

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Professional Standards for Education Leaders, February 2014

California Standards for the Teaching Profession, 2009

WESTED PUBLICATION

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

WEBSITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

California Department of Education: <http://www.cde.ca.gov>

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Council of Chief State School Officers: <http://www.ccsso.org>

WestEd: <https://www.wested.org/>

Cross References (cf.):

0200 – Goals for the School District (N/A)

0410 – Nondiscrimination in District Programs and Activities

1113 – District and School Web Sites

1114 – District-Sponsored Social Media

1312.1 – Complaints Concerning District Employees

2111 – Superintendent Governance Standards (N/A)

3513.3 – Tobacco-Free Schools

3513.4 – Drug and Alcohol Free Schools (N/A)

3513.4 – Liability Issues and Parent Groups Organizing Grad Night

3515.2 – Disruptions (N/A)

3515.2 – Criminal Record Check Contract Employees

3515.7 – Firearms on School Grounds (N/A)

3580 – District Records

4020 – Drug and Alcohol-Free Workplace

4040 – Employee Use of Technology

4112.2 – Certification (N/A)

4112.41/4212.41/4312.41 – Employee Drug Testing (N/A)

4112.42/4212.42/4312.42 – Drug and Alcohol Testing for School Bus Drivers (N/A)

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Cross References (cf.) (cont.):

4113.5/4213.5/4313.5 – Working Remotely (N/A)

4115/4215/4315 – Evaluation/Supervision

4117.7 – Employment Status Reports

4118/4218 – Suspension/Disciplinary Action

4119.1/4219.1/4319.1 – Civil and Legal Rights

4119.11/4219.11/4319.11 – Sexual Harassment

4119.22/4219.22/4319.22 – Dress and Grooming (N/A)

4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information (N/A)

4119.25/4219.25/4319.25 – Political Activities of Employees

4131/4231/4331 – Staff Development

4132/4232/4332 – Publication or Creation of Materials (N/A)

4136/4236/4336 – Nonschool Employment (N/A)

4158/4258/4358 – Employee Security (N/A)

4218.1 – Dismissal/Suspension/Disciplinary Action (Merit System) (N/A)

4317.7 – Employment Status Report (N/A)

5131 – Conduct

5141.4 – Child Abuse Prevention and Reporting

6162.54 – Test Integrity/Test Preparation (N/A)

6162.6 – Use of Copyrighted Materials

6163.4 – Student Use of Technology

9005 – Governance Standards

ADOPTED: June 2, 2008

REVISED: December 10, 2012

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