

	UNPROFESSIONAL CONDUCT OF STAFF	Policy No. 5006 January 22, 2014 Page 1 of 3
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The School Board recognizes its responsibility to protect students, staff, parents/guardians, and volunteers from physical and/or emotional harm at school and at school-sponsored events.

A. CERTIFICATED STAFF

Pursuant to state law, certificated staff are required to exhibit "good moral character and personal fitness" as they teach, supervise students, or interact with others and are prohibited from engaging in unprofessional conduct. "Good moral character and personal fitness" is defined in WAC 181-86-013. Unprofessional conduct includes, but is not limited to:

1. Violation of written contract;
2. Crimes against children as listed in RCW 26A.400.322;
3. The physical injury of children;
4. Sexual misconduct with children or students;
5. Misrepresentation or falsification in the course of professional practice (i.e., any falsification or deliberate misrepresentation, including omission, of a material fact by an education practitioner, including but not limited to: (i) statement of professional qualifications; (ii) application or recommendation for employment, promotion, certification, or an endorsement; (iii) application or representation for college admission, scholarship, grant, award, or similar benefit; (iv) representation of completion of in-service or continuing education credit hours; (v) evaluation or grading of students and/or personnel; (vi) financial or program compliance reports submitted to agencies; and (vii) information submitted to OSPI or law enforcement related to an official investigation.
6. Possession, use, consumption, or being under the influence of alcohol or of an illegal and/or controlled substance, including marijuana (cannabis), on school premises or at a school-sponsored activity involving students (possession of an unopened container of alcohol in a locked motor vehicle is allowed);
7. Disregard or abandonment of generally recognized professional standards (i.e., any performance of professional practice in flagrant disregard or clear abandonment of generally recognized professional standards in the

- course of : (i) assessing; treating, instructing, or supervising students; (ii) evaluating personnel; or (iii) managing money or property);
8. Abandonment of contract for professional services, including an extracurricular contract;
 9. Unauthorized professional practice;
 10. Illegal furnishing of alcohol or an illegal and/or controlled substance, including marijuana (cannabis), to a student;
 11. Improper remunerative conduct (i.e., any deliberate act in the course of professional practice that requires or pressures students to purchase equipment, supplies, or services from the educational practitioner in a private capacity); or
 12. Failure to report child abuse or neglect under RCW 26.44.

Certificated staff may be disciplined for engaging in unprofessional conduct according to Policy Nos. 5280 and 5281.

When the Superintendent or his or her designee possesses sufficiently reliable information to believe that a certificated employee is not of “good moral character and personal fitness” or has committed an act of unprofessional conduct, within a reasonable period of time of making such determination, a written complaint shall be filed with the Office of Superintendent of Public Instruction.

If the District is considering action to discharge a certificated staff member, the Superintendent or his or her designee need not file such complaint until ten calendar days after making the final decision to serve or not serve formal notice of discharge. Such a written complaint shall state the grounds for revocation and summarize the factual basis upon which a determination has been made that an investigation by the Office of the Superintendent of Public Instruction is warranted.

B. CLASSIFIED STAFF

Although classified employees are not governed by the same state regulations applicable to certificated staff, the District prohibits classified staff from engaging in acts of unprofessional conduct, including but not limited to:

1. Crimes against children listed in RCW 28A.400.322;
2. The physical injury of children;
3. Sexual misconduct with children or students;
4. Providing false information to the District (i.e., timesheets, application materials, formal investigations);
5. Possession, use, consumption, or being under the influence of alcohol or of an illegal and/or controlled substance, including marijuana (cannabis), on school premises or at a school-sponsored activity involving students (possession of an unopened container of alcohol in a locked motor vehicle is allowed);

6. Disregard or abandonment of generally recognized professional standards when (i) assessing; treating, instructing, or supervising students; (ii) evaluating personnel; or (iii) managing money or property; or
7. Illegal furnishing of alcohol or an illegal and/or controlled substance, including marijuana (cannabis), to a student;

Classified staff may be disciplined for acts of unprofessional conduct according to Policy Nos. 5280 and 5281.

Adopted: April 2012

Revised: January 2014

Cross Reference: Policy Nos. 5005; 5280; 5281

Related Superintendent Procedure:

Previous Policies:

Legal References: RCW 28A.400.320 Mandatory termination of classified employees; RCW 28A.405.470 Mandatory termination of certificated employees; RCW 28A.410.090 Revocation of Authority teach — Method — Grounds; RCW 28A.410.100 Revocation of authority to teach — Hearings and appeals; RCW 28A.410.110 Reinstatement prohibited for crimes; WAC 181-79A Standards for teacher, administrator, and educational staff associate certification; WAC 181-86 Professional certification — Policies and procedures for administration of certification proceedings; WAC 181-87 Professional certification — Acts of unprofessional conduct; WAC 181-79A-155 Good Moral Character and Personal Fitness — Necessary supporting evidence applicants
Management Resources: *Policy News*, February 2013