

## Chapter 14: Certification

### *Rule 14.18 Code of Ethics Standards*

#### 1. Standard 1: Professional Conduct

*An educator should demonstrate conduct that follows generally recognized professional standards.*

- a. Ethical conduct includes, but is not limited to, the following:
  - i. Encouraging and supporting colleagues in developing and maintaining high standards
  - ii. Respecting fellow educators and participating in the development of a professional teaching environment
  - iii. Engaging in a variety of individual and collaborative learning experiences essential to professional development designed to promote student learning
  - iv. Providing professional education services in a nondiscriminatory manner
  - v. Maintaining competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter and pedagogical practices
  - vi. Maintaining a professional relationship with parents of students and establish appropriate communication related to the welfare of their children
- b. Unethical conduct includes, but is not limited to, the following:
  - i. Harassment of colleagues
  - ii. Misuse or mismanagement of tests or test materials
  - iii. Inappropriate language on school grounds or any school-related activity
  - iv. Physical altercations
  - v. Failure to provide appropriate supervision of students and reasonable disciplinary actions

#### 1. Standard 2. Trustworthiness

*An educator should exemplify honesty and integrity in the course of professional practice and does not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.*

- a. Ethical conduct includes, but is not limited to, the following:
  - i. Properly representing facts concerning an educational matter in direct or indirect public expression

- ii. Advocating for fair and equitable opportunities for all children
  - iii. Embodying for students the characteristics of honesty, diplomacy, tact, and fairness.
- b. Unethical conduct includes, but is not limited to, the following:
- i. Falsifying, misrepresenting, omitting, or erroneously reporting any of the following:
    - a) employment history, professional qualifications, criminal history, certification/recertification
    - b) information submitted to local, state, federal, and/or other governmental agencies
    - c) information regarding the evaluation of students and/or personnel
    - d) reasons for absences or leave
    - e) information submitted in the course of an official inquiry or investigation
  - ii. Falsifying records or directing or coercing others to do so

### 3. Standard 3. Unlawful Acts

*An educator shall abide by federal, state, and local laws and statutes and local school board policies.*

Unethical conduct includes, but is not limited to, the commission or conviction of a felony or sexual offense. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought or situation where first offender treatment without adjudication of guilt pursuant to the charge was granted.

### 4. Standard 4. Educator/Student Relationship

*An educator should always maintain a professional relationship with all students, both in and outside the classroom.*

- a. Ethical conduct includes, but is not limited to, the following:
- i. Fulfilling the roles of mentor and advocate for students in a professional relationship. A professional relationship is one where the educator maintains a position of teacher/student authority while expressing concern, empathy, and encouragement for students
  - ii. Nurturing the intellectual, physical, emotional, social and civic potential of all students
  - iii. Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement

- iv. Creating, supporting, and maintaining a challenging learning environment for all students
- b. Unethical conduct includes, but is not limited to the following:
  - i. Committing any act of child abuse
  - ii. Committing any act of cruelty to children or any act of child endangerment
  - iii. Committing or soliciting any unlawful sexual act
  - iv. Engaging in harassing behavior on the basis of race, gender, national origin, religion or disability
  - v. Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs
  - vi. Soliciting, encouraging, participating or initiating inappropriate written, verbal, electronic, physical or romantic relationship with a student.
    - a) Examples of these acts may include but not be limited to:
      - 1) sexual jokes
      - 2) sexual remarks
      - 3) sexual kidding or teasing
      - 4) sexual innuendo
      - 5) pressure for dates or sexual favors
      - 6) inappropriate touching, fondling, kissing or grabbing
      - 7) rape
      - 8) threats of physical harm
      - 9) sexual assault
      - 10) electronic communication such as texting
      - 11) invitation to social networking
      - 12) remarks about a student's body
      - 13) consensual sex

*An educator should always maintain a professional relationship with colleagues, both in and outside the classroom*

1. Unethical conduct includes but is not limited to the following:

- a. Revealing confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law
- b. Harming others by knowingly making false statements about a colleague or the school system
- c. Interfering with a colleague's exercise of political, professional, or citizenship rights and responsibilities
- d. Discriminating against or coercing a colleague on the basis of race, religion, national origin, age, sex, disability or family status
- e. Using coercive means or promise of special treatment in order to influence professional decisions of colleagues

6. Standard 6. Alcohol, Drug and Tobacco Use or Possession

*An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs*

- a. Ethical conduct includes, but is not limited to, the following:
  - i. Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice
- b. Unethical conduct includes, but is not limited to, the following:
  - i. Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs
  - ii. Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages. A school-related activity includes but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc. which involve students.
  - iii. Being on school premises or at a school-related activity involving students while documented using tobacco.

7. Standard 7. Public Funds and Property

*An educator shall not knowingly misappropriate, divert, or use funds, personnel, property, or equipment committed to his or her charge for personal gain or advantage.*

- a. Ethical conduct includes, but is not limited to, the following:
  - i. Maximizing the positive effect of school funds through judicious use of said funds
  - ii. Modeling for students and colleagues the responsible use of public property

- b. Unethical conduct includes, but is not limited to, the following:
  - i. Knowingly misappropriating, diverting or using funds, personnel, property or equipment committed to his or her charge for personal gain
  - ii. Failing to account for funds collected from students, parents or any school-related function
  - iii. Submitting fraudulent requests for reimbursement of expenses or for pay
  - iv. Co-mingling public or school-related funds with personal funds or checking accounts
  - v. Using school property without the approval of the local board of education/governing body

1. Standard 8. Remunerative Conduct

*An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.*

- a. Ethical conduct includes, but is not limited to, the following:
  - i. Insuring that institutional privileges are not used for personal gain
  - ii. Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization
- b. Unethical conduct includes, but is not limited to, the following:
  - i. Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local governing body.
  - ii. Tutoring students assigned to the educator for remuneration unless approved by the local school board
  - iii. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. *(This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service)*

2. Standard 9. Maintenance of Confidentiality

*An educator shall comply with state and federal laws and local school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.*

- a. Ethical conduct includes, but is not limited to, the following:
  - i. Keeping in confidence information about students that has been obtained in the course of professional service unless disclosure serves a legitimate purpose or is required by law

- ii. Maintaining diligently the security of standardized test supplies and resources
- b. Unethical conduct includes, but is not limited to, the following:
  - i. Sharing confidential information concerning student academic and disciplinary records, health and medical information family status/income and assessment/testing results unless disclosure is required or permitted by law.
  - ii. Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating local school board or state directions for the use of tests
  - iii. Violating other confidentiality agreements required by state or local policy

3. Standard 10. Breach of Contract or Abandonment of Employment

*An educator should fulfill all of the terms and obligations detailed in the contract with the local school board or educational agency for the duration of the contract.*

- a. Unethical conduct includes, but is not limited to, the following:
  - i. Abandoning the contract for professional services without prior release from the contract by the school board
  - ii. Refusing to perform services required by the contract.

Source: *Miss. Code Ann. § 37-1-3 (Revised 1/2011)*