

NORTH RIVER SCHOOL DISTRICT #200

BOARD POLICY

NO. 5121
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UNPROFESSIONAL CONDUCT

The board of directors recognizes its responsibility to protect students from physical and/or emotional harm. Staff members are expected to exhibit "good moral character and personal fitness" as they teach or supervise students. Staff members shall not engage in unprofessional conduct including:

- A. the related acts of immorality and/or intemperance;
- B. violation of written contract;
- C. crime against the state or involving the physical neglect of children;
- D. the physical injury of children;
- E. sexual misconduct with children or students;
- F. misrepresentation or falsification in the course of professional practice;
- G. possession, use or consumption or being under the influence of alcohol or of a controlled substance on school premises or at a school-sponsored activity involving students;
- H. disregard or abandonment of generally recognized professional standards;
- I. abandonment of contract for professional services;
- J. unauthorized professional practice;
- K. illegal furnishing of alcohol or a controlled substance to a student; or
- L. improper remunerative conduct.

Unprofessional conduct shall not include matters such as insubordination, violation of the collective bargaining agreement or other employment-related acts correctable by the district or other civil remedies.

When the superintendent possesses sufficient reliable information to believe that a certified employee is not of good moral character or personally fit or has committed an act of unprofessional conduct, within a reasonable period of time of making such determination, he/she shall file a written complaint with the superintendent of public instruction.

If the district is considering action to discharge a staff member, the superintendent need not file such a complaint until ten calendar days after making the final decision to serve or not serve formal notice of discharge. Such 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 superintendent of public instruction is warranted. The superintendent of public instruction shall provide the affected certificate holder with a copy of such written complaint.

Intentional failure to file a complaint is an act of unprofessional conduct and may be sufficient cause for revocation of the superintendent's professional education certificate. A staff member may voluntarily surrender his or her certificate.

The superintendent shall maintain a confidential file containing allegations and the findings related to his/her investigation.

Cross Reference:

(cf. 5120 – Certification)

(cf. 5255 – Disciplinary Action and Discharge)

Legal References:

RCW 28A.400.320 Mandatory termination of classified employees

RCW 28A.405.470 Mandatory termination of certified employees

RCW 28A.410.090 Revocation of Authority to teach--Method-Grounds

RCW 28A.410.100 Revocation of Authority to teach—Hearings and appeals

RCW 28A.410.110 Reinstatement prohibited for crimes against children

WAC 180-79A Standards for Teacher, Administrator, and Educational Staff
Certification

WAC 180-86 Policies and procedures for administration of certification proceedings

WAC 180-87 Acts of Unprofessional Conduct

Adoption Date: August 1999