

Policy 4219.21: Professional Standards**McCabe Union Elementary School
District****Original Adopted Date:** 06/27/2017**Status:** ADOPTED

The Board of Trustees expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

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 should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

Inappropriate employee conduct includes, but is not 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 or at a school-sponsored activity
9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons 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

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the 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.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board 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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State Reference

5 CCR 80303	<u>Reports of change in employment status, alleged misconduct</u>
5 CCR 80331-80338	<u>Rules of conduct for professional educators</u>
Ed. Code 200-262.4	<u>Educational equity; prohibition of discrimination on the basis of sex</u>
Ed. Code 44050	<u>Employee code of conduct; interaction with students</u>
Ed. Code 44242.5	<u>Reports and review of alleged misconduct</u>
Ed. Code 48980	<u>Parental notifications</u>
Pen. Code 11164-11174.4	<u>Child Abuse and Neglect Reporting Act</u>

Management Resources Reference

Description	
<u>California Professional Standards for Educational Leaders, February 2014</u>	Commission on Teacher Credentialing Publication
<u>California Standards for the Teaching Profession, 2009</u>	Commission on Teacher Credentialing Publication

Council of Chief State School Officers Publication	<u>Professional Standards for Educational Leaders, 2015</u>
National Education Association Publication	<u>Code of Ethics of the Education Profession, 1975</u>
Website	<u>CSBA</u>
Website	<u>California Department of Education</u>
Website	<u>Commission on Teacher Credentialing</u>
Website	<u>WestEd</u>
Website	<u>Association of California School Administrators</u>
Website	<u>California Federation of Teachers</u>
Website	<u>California School Employees Association</u>
Website	<u>California Teachers Association</u>
Website	<u>Council of Chief State School Officers</u>
WestEd Publication	<u>Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003</u>

Policy Reference**Description**

0200	<u>Goals For The School District</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0450	<u>Comprehensive Safety Plan</u>
1113	<u>District And School Web Sites</u>
1312.1	<u>Complaints Concerning District Employees</u>
2111	<u>Superintendent Governance Standards</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.4	<u>Drug And Alcohol Free Schools</u>
3515.2	<u>Disruptions</u>
3515.7	<u>Firearms On School Grounds</u>
3580	<u>District Records</u>
4020	<u>Drug And Alcohol-Free Workplace</u>
4040	<u>Employee Use Of Technology</u>
4112.2	<u>Certification</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4113.5	<u>Working Remotely</u>
4115	<u>Evaluation/Supervision</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.1	<u>Civil And Legal Rights</u>
4119.11	<u>Sexual Harassment</u>

4119.22	<u>Dress And Grooming</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4119.25	<u>Political Activities Of Employees</u>
4131	<u>Staff Development</u>
4132	<u>Publication Or Creation Of Materials</u>
4136	<u>Nonschool Employment</u>
4158	<u>Employee Security</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4213.5	<u>Working Remotely</u>
4215	<u>Evaluation/Supervision</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.1	<u>Civil And Legal Rights</u>
4219.11	<u>Sexual Harassment</u>
4219.22	<u>Dress And Grooming</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4219.25	<u>Political Activities Of Employees</u>
4231	<u>Staff Development</u>
4232	<u>Publication or Creation of Materials</u>
4236	<u>Nonschool Employment</u>
4258	<u>Employee Security</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4313.5	<u>Working Remotely</u>
4315	<u>Evaluation/Supervision</u>
4319.1	<u>Civil And Legal Rights</u>
4319.11	<u>Sexual Harassment</u>
4319.22	<u>Dress And Grooming</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4319.25	<u>Political Activities Of Employees</u>
4331	<u>Staff Development</u>
4332	<u>Publication or Creation of Materials</u>
4336	<u>Nonschool Employment</u>
4358	<u>Employee Security</u>
5125	<u>Student Records</u>
5125.1	<u>Release Of Directory Information</u>
5131	<u>Conduct</u>

5131.2	<u>Bullying</u>
5137	<u>Positive School Climate</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parental Notifications</u>
5145.7	<u>Sexual Harassment</u>
6162.54	<u>Test Integrity/Test Preparation</u>
6162.6	<u>Use Of Copyrighted Materials</u>

CLASSIFIED EMPLOYEES

School employees who are in daily contact with many phases of educational work should be persons whose conduct is beyond reproach and who sincerely believe in the advancement of education and the betterment of working conditions; therefore, the California School Employees' Association proposes this Code of Ethics as a standard for its members.

AS A SCHOOL EMPLOYEE I WILL:

1. Be proud of my vocation in order that I may use my best endeavors to elevate the standards of my position so that I may merit a reputation for high quality of service -- to the end that others may emulate my example.
2. Be a person of integrity, clean speech, desirable personal habits, and physical fitness.
3. Be just in my criticism and be generous in my praise; to improve and not destroy.
4. At all times be courteous in my relations with students, parents, teachers and others.
5. Be a resourceful person who readily adapts himself to different kinds of work and changed conditions and finds better ways to do things.
6. Conduct myself in a spirit of friendly helpfulness to my fellow employees to the end that I will consider no personal success legitimate or ethical which is secured by taking unfair advantage of another.
7. Associate myself with employees of other districts for the purpose of discussing school problems and cooperating in the improvement of public school conditions.
8. Always uphold my obligations as a citizen to my nation, my state, my school district and my community, and give them unswerving loyalty.
9. Always bear in mind that the purpose of CSEA is to promote the efficiency and raise the standards of all school employees and that I shall be equally obligated to assist all my fellow workers.

SOURCE: CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION

Policy 4219.22: Dress And Grooming**McCabe Union Elementary School
District****Original Adopted Date:** 06/25/2019 | **Last Revised Date:** 11/12/2019**Status:** ADOPTED

The Board of Trustees believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

The district shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

The district shall not discriminate against employees based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Government Code 12926)

The district shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be presented to employees upon employment, through the employee handbook or other appropriate means, and may be periodically reviewed with all employees as necessary.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State Reference**Description**

Ed. Code 35160	<u>Authority of governing boards</u>
Ed. Code 35160.1	<u>Broad authority of school districts</u>
Gov. Code 12926	<u>Definitions</u>
Gov. Code 12940	<u>Unlawful discriminatory employment practices</u>
Gov. Code 12949	<u>Dress standards, consistency with gender identity</u>
Gov. Code 3543.2	<u>Scope of representation</u>

Management Resources Reference**Description**

CA Dept of Fair Employment and Housing Publication	<u>Transgender Rights in the Workplace</u>
Court Decision	<u>San Mateo City School District v. PERB (1983) 33 Cal. 3d 850</u>
Court Decision	<u>East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856</u>
Court Decision	<u>Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100</u>

Court Decision	<u>Finot v. Pasadena Board of Education (1967) 250 Cal.App.2d 189</u>
Public Employment Relations Board Decision	<u>Santa Ana Unified School District (1998) 22 PERC P29, 136</u>
Public Employment Relations Board Decision	<u>Inglewood United School District (1985) 10 PERC P17, 000</u>
Website	<u>California Public Employment Relations Board</u>
Website	<u>California Department of Fair Employment and Housing</u>

Policy Reference**Description**

0410	<u>Nondiscrimination In District Programs And Activities</u>
0415	<u>Equity</u>
4030	<u>Nondiscrimination In Employment</u>
4112.21	<u>Interns</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.11	<u>Sexual Harassment</u>
4119.21	<u>Professional Standards</u>
4119.25	<u>Political Activities Of Employees</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.11	<u>Sexual Harassment</u>
4219.21	<u>Professional Standards</u>
4219.25	<u>Political Activities Of Employees</u>
4319.11	<u>Sexual Harassment</u>
4319.21	<u>Professional Standards</u>
4319.25	<u>Political Activities Of Employees</u>

Regulation 4219.22-R(1): Dress And Grooming**McCabe Union Elementary School
District****Original Issued Date:** 01/14/2020**Status:** ISSUED

The Board of Trustees believes that its employees are role models for students, and that they are instrumental in providing the professional atmosphere in which students learn. The Board also believes that the professional appearance of its employees contributes positively to the education and socialization of students, engenders the confidence of parents and the public in the quality of instruction and district programs, and reflects personal pride in performance and dedication to providing the kind of professional environment which is most conducive to learning.

1. The following items are not permitted for wear by employees while performing work on behalf of the district, during or outside of the workday, representing the district at educational or other events in the course of employment, or while in attendance or participating in any district sponsored event.

- a. Spandex clothing, leggings or tights (as pants)
- b. Short skirts and shorts no shorter than three (3) inches above the knee
- c. See through clothing or clothing, which reveals undergarments, buttocks, or breasts
- d. Tank tops (sleeveless blouses and shells are appropriate), spaghetti straps, strapless, halter tops, or work-out clothing (sweat pants, shorts)
- e. Clothing which exposes the midriff - Midriff should not be seen while writing on the board
- f. Clothing with inappropriate logos (i.e. sex, drugs, rock-n-roll, alcohol, etc.)
- g. Football Jerseys
- h. Undershirts
- i. Undergarments worn as outergarments

j. Jewelry which presents a threat to the physical safety of employees or which interferes with the effectiveness of performance of specific required tasks, such as tongue jewelry where it interferes with effective communication skills with the public

k. Visible tattoos - tattoos must be covered

l. Clothing or personal items that display obscene, libelous or slanderous material

m. Beach sandals, flip flops, bedroom shoes, thongs or other footwear dangerous to the employee.

n. For gentlemen shirts with tails should be tucked in. Shirts may be left untucked as long as they are long enough to cover the midriff area

Employees whose primary responsibility is instruction of physical education or special activities (i.e. track and field) should wear attire appropriate to the physical activity they are performing.

2. Inclement or extreme weather conditions and health/physical disabilities may impact attire, but they are not an excuse for unprofessional appearance.

3. If an employee believes that an exception should be made in his/her case because of the specific type of assigned work performed, a medical condition/disability, or some other reason, permission must be obtained from administration.

Violations of the above dress standards will be addressed using the Steps for Progressive Discipline as follows:

1. Verbal Warning/Conference

2. Written Warning

3. Memorandum of Concern

4. "Unsatisfactory" on next Evaluation

5. In extreme cases, as determined by administrator an employee may be required to go home to change into appropriate attire.
