

PERSONNEL

Employee Conduct

~~1. Employee Conduct~~

The School Board is committed to establishing a workforce dedicated to the education of the City's youth and creating an environment conducive to productivity for the benefit of both staff and students. Inappropriate conduct both in and outside of the workplace can interfere with instruction and operations, can discredit the organization, can be offensive to others, and is nonproductive. It is the policy of the School Board to recruit and employ highly professional employees who demonstrate the highest ethical behavior on the job and outside the workplace.

~~2. A. Standards of Employee Conduct and Discipline Philosophy~~

~~All employees are expected to maintain a standard of dress, personal appearance, general decorum, and behavior that reflects positively on their status as employees of the School Board and as role models for students. Employees' use of School Board facilities, equipment, communication systems, computer systems, and resources should also reflect the same expectation. The School Board expects that staff will set examples for students that will serve students well in their own conduct and behavior and which will contribute toward an appropriate instructional atmosphere. Therefore, as a condition of employment, all employees are to perform their duties and comply with School Board Policy, School Administration Regulations, and state and federal law and regulations. Employees shall demonstrate the necessary skills, maturity, ability in dealing with others, and understanding of their job functions. Safety, courtesy and respect for diversity are expected of all employees. At no time should any employee's conduct jeopardize a student's right to be educated or an employee's right to perform job functions. To reinforce these expectations, the School Board supports continuous training and professional growth of all of its employees to develop and maintain their skills. School Board policies require a school and work environment that is respectful of the rights of all individuals in the school community and maintained in a manner adequate to meet the vision and goals of the School Board.~~

~~Employees will support the mission of the School Board by fulfilling their duties and complying with School Board policies and regulations. Inappropriate conduct both in and outside of the workplace can interfere with instruction and operations, can discredit the organization, can be offensive to others, and is nonproductive.~~ The Superintendent will promulgate core values and standards of conduct to guide employees in meeting the School Board's expectations and will establish and promulgate to all employees disciplinary procedures and regulations necessary to implement the School Board policy. Therefore, all employees are to:

- ~~1.- Serve as role models for the students in the School Division. All employees must recognize that as~~
~~-a condition of their employment, they must model legal, moral and professional behaviors, both~~
~~-inside and outside the workplace;~~
- ~~2.-Demonstrate respect toward coworkers, supervisors, subordinates, students, parents, and the public;~~

3. -Comply with all School Board policies, School Division regulations, and state and federal laws and regulations;
4. -Demonstrate the necessary skills, maturity, ability in dealing with others, and understanding of their job functions;
5. -Be committed to the achievement of VBCPS Strategic Plan goals and objectives;
6. -Comply with the School Division's requirement that an alcohol, tobacco, ecigarette, vaping, weapons, and drug free work environment be maintained;
7. -Report to work as scheduled and seek approval from their administrator in advance for any changes to the established work schedule, including the use of leave and late or early arrivals and departures;
8. -Perform assigned duties and responsibilities in a manner that invokes the highest degree of public trust and devote full effort to job responsibilities during work hours;
9. -Use School Board resources, including School Division funds, time, property, and technology -for authorized purposes only;
10. -Maintain the qualifications, certification, licensure, and/or training requirements identified for -their positions;
11. -Work in a collegial and collaborative manner with peers, school personnel or agents, and the -community to promote and support student learning;
12. -Exhibit respect for all manner of diversity among students, staff, and the community, and adhere -to all School Board policies and regulations prohibiting discrimination or harassment on the basis -of race, color, religion, national origin, sex, sexual orientation, gender identity, pregnancy, -childbirth or related conditions, age, marital status, veteran status, disability, genetic information -or any other basis prohibited by law;
13. -Dress in a professional manner that is neat, clean, appropriate, and safe in the work place, at -school-sponsored activities, and when representing the School Division;
14. -Maintain all confidential information consistent with School Board policies, regulations, as well -as state and federal laws, regulations and guidance;
15. -Comply with the Virginia State and Local Government Conflict of Interests Act;
16. -Use leave and related employee benefits in the manner for which they were intended and -consistent with law, policy and regulation;
17. -Resolve work-related issues and disputes in a professional manner and through established -processes;
18. -Meet or exceed established job performance expectations;

19. Report circumstances or concerns that may affect satisfactory work performance to administration, including any inappropriate activities of other employees; and

20. Obtain approval from the appropriate administrator prior to working overtime, if non-exempt from the Fair Labor Standards Act (FLSA).

Note, the preceding list is not intended to be all-inclusive; rather, it is to illustrate the minimum expectations for acceptable conduct and performance

~~Disciplinary action shall be consistently and fairly applied and shall be taken only for good reason, for the primary purpose of correcting unsatisfactory performance or conduct, and as a secondary purpose of exacting disciplinary measures. The severity of the disciplinary actions shall be determined by the severity of the misconduct. When appropriate, verbal warnings or counseling will first be used to correct employee conduct. Verbal warnings or counseling are not grievable. In general, formal disciplinary actions shall be progressive in nature, ranging from a written reprimand for an initial infraction to stronger actions that may include recommendations for dismissal when corrective behavior fails to occur. However, progressive discipline is not always appropriate, and supervisors and program managers may recommend a more or less stringent action based on the severity of the violation, including dismissal, for the first offense.~~

B. Employee-Student Relations

1. At no time shall an employee's conduct or relationship with a student impede or negatively affect the student's education or participation in educational programs or services.

2. Employees must recognize and establish appropriate boundaries between themselves and students, and must not engage in any behaviors or interactions with students, in person or through any communication media, which is or could be perceived as inappropriate, intimate, unduly familiar, grooming, sexual, or harassing in nature. Accordingly, the following standards apply to all interactions between employees and students:

a. Employees may use electronic communications with students for legitimate purposes connected to school programs or services, including participation in athletics and extracurricular activities. Any employee initiated communications must be directly related to a school program or activity;

b. Employees should communicate with students only for official purposes and refrain from communication of a personal nature. Employees should not provide students with access or invitations to their own personal social media sites; nor should employees access the personal social media sites of students;

c. Employees shall not cause any student to miss instructional time or school sponsored activities for non-educational purposes;

d. Employees shall not assist or encourage a student's use of controlled substance or unauthorized substance, including but not limited to, tobacco, electronic cigarettes, vaping products, alcohol, and drugs, and should not attend any function where students are in possession of, or are using such substances;

- e. Employees shall not purposefully meet with minor students outside school or school activities, without the knowledge and consent of the minor student's parent/guardian;
- f. Employees shall not solicit, discuss, propose participate in nor arrange any intimate, romantic, or sexual relationship with a student while the student is a current VBCPS student, even if the proposed relationship does not occur or would not occur until after the student is an adult and graduates or leaves VBCPS;
- g. Employees who have reason to believe, or are advised by other staff or supervisors, that their interactions with a student(s) may be viewed as inappropriate, unduly familiar, intimate, grooming, or sexual in nature, shall take all reasonable measures to immediately correct the behavior, including termination of any electronic or other non-school related communications. Actions taken to address such concerns will not preclude the employee from being disciplined for such behavior; and
- 10.h. Any employee who has reason to know of a possible violation of these standards by another employee shall report the behavior to his or her principal or department head or to the Office of Employee Relations.

C. Disciplinary action

The purpose of this Policy is to set forth guidelines for expected conduct and to assist employees in understanding their responsibilities and roles as School Board employees. Failure to comply with expected conduct, conditions of employment and job responsibilities may result in guidance and discipline, up to and including dismissal and recommendation of license revocation (where applicable), and referral to appropriate authorities.

1. Disciplinary action shall be consistently and fairly applied and shall be taken only for good reason;
2. The severity of the disciplinary actions shall be determined by the severity of the misconduct;
3. When appropriate, verbal counseling will first be used to correct employee conduct. Such actions are not grievable;
4. In general, formal disciplinary actions shall be progressive in nature, ranging from a written reprimand to a recommendations for dismissal when corrective behavior fails to occur.
5. Progressive discipline is not always appropriate, and administrators may recommend a more or less stringent action based on the severity of the violation, including dismissal and other appropriate action, for the first offense.

3. D. Conduct Outside of the Workplace

The School Board recognizes that employees retain the right to keep their personal lives separate from their positions as School Board employees. Yet, due to the unique position that School Board employees serve in the community as role models, leaders and caretakers for the School Division's students, certain conduct is inconsistent with employment with the School Board.

Applicants who have convictions for felonies, offenses involving sexual molestation, physical or sexual abuse or rape of a child, convictions for crimes of moral turpitude¹, or founded cases of child abuse or neglect will not be eligible for employment by the School Board. Current employees who are convicted of any of the above noted crimes or have founded cases of child abuse or neglect shall be recommended for termination, and may be terminated from employment by the School Board.²

Other conduct that jeopardizes the School Board's or the community's trust in the employee's ability to perform his duties may be the basis for disciplinary action. Examples of such conduct include, but are not limited to: drug or alcohol abuse that becomes open and notorious; plea bargains to lesser crimes after being charged with crimes that would disqualify an employee from employment; misuse of School Board property; intentional conflicts of interests; interference of personal matters with performance of duties; and inappropriate social networking activities on Internet sites or other public mediums. In such cases the School Board reserves the right to take disciplinary action that promotes the integrity and safety of the staff and students.

4. E. Employee Handbook

~~Beginning July 1, 2000, each~~ All employees have access to the Employee Handbook ~~shall be provided an employee handbook~~ that summarizes the School Board policies and School Division regulations applicable to all employees. ~~The handbook shall also be provided to new hires at the time of orientation.~~ Updates to the Employee Handbook will be made available via the School Division's Intranet site. The Employee Handbook shall also be provided to new hires at the time of onboarding.

The purpose of the Employee Handbook and updates is to inform employees about the terms and conditions of their employment. Neither the Employee Handbook nor the updates constitutes a contract or is otherwise binding on the School Board or School Division.

5. F. School Board Bylaws, Policies and School Division Regulations

The School Board's bylaws, policies and School Division regulations are available to employees in the following locations: The School Division Intranet at www.vbcps.com and School Division Internet website at www.vbschools.com. Copies of individual School Board bylaws, policies and School Division regulations may be requested by contacting the Superintendent's Office.

Editor's Note:

See School Board Policy 5-45 - Use of Drugs, Alcohol and Tobacco Products.
See School Board Regulation 5-45.1 - Possession/Use/Sale of Alcohol, Drugs or Drug

Paraphernalia.

See ~~Virginia Beach~~ School Division Website at www.vbschools.com.

Legal References:

[Code of Virginia § 2.2-3100, et seq., as amended. Virginia State and Local Government Conflict of Interests Act.](#)

Code of Virginia § 22.1-295, as amended. Employment of Teachers.

Code of Virginia § 22.1-296.1, as amended. Data on convictions for certain crimes and child abuse and neglect required; penalty.

Code of Virginia §22.1-296.4, as amended. Child abuse and neglect data required.

Code of Virginia §22.1-307, as amended. Dismissal of teacher; grounds.

Code of Virginia §22.1-315, as amended. Grounds and procedure for suspension.

Code of Virginia §22.1-253.13:7, as amended. Standard 7. School board policies.

[Fair Labor Standards Act of 1938 29 U.S.C. §208, et seq. as amended.](#)

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: October 21, 2003

Amended by School Board: August 16, 2005

Amended by School Board: December 7, 2010

Scrivener's Amendments: October 6, 2014

Amended by School Board: October 18, 2016

[Amended by School Board: 2019](#)

¹Moral turpitude is defined as, but not necessarily limited to, lying, cheating, stealing, giving false statements, petit larceny, and contributing to the delinquency of a minor.

²Teachers may further be subject to dismissal or probation for incompetency, immorality, non compliance with school laws and regulations, disability as shown by competent medical evidence when in compliance with federal law, conviction of a felony or a crime of moral turpitude or other good and just cause. (Code of Virginia § 22.1-307, as amended. Dismissal; grounds.)

APPROVED AS TO
LEGAL SUFFICIENCY


