

Personnel

Unprofessional Conduct

The Board recognizes its responsibility to protect students from physical and/or emotional harm. Certificated and Classified staff members are expected to exhibit "good moral character and personal fitness" (WAC 181-79A-155, WAC 181-86-013 and WAC 181-86-014) as they teach or supervise students and otherwise perform their duties for the district. Staff members will not engage in unprofessional conduct including, but not limited to:

- A. The related acts of immorality and/or intemperance (RCW 28A.410.090);
- 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, consumption or being under the influence of alcohol, marijuana (cannabis) 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, marijuana (cannabis) or a controlled substance to a student;
- L. Improper remunerative conduct;
- M. Inappropriate digital communication with a student;
- N. Failure to assure the transfer of student information or student records.

Unprofessional conduct will 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 sufficiently reliable information to believe that a certificated 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, The Superintendent will file a written complaint with the Office of the Superintendent of Public Instruction (OSPI).

If the District is considering action to discharge a staff member , the Superintendent need not file such complaint until ten (10) calendar days after making the final decision to serve or not

serve formal notice of discharge. Such written complaint will state the grounds for revocation and summarize the factual basis upon which a determination has been made that an investigation by OSPI is warranted.

Intentional failure to file a complaint is an act of unprofessional conduct and may be sufficient cause for revocation of the Superintendents' professional education certificate.

Cross References: Policy 5281 – Disciplinary Action and Discharge
Policy 5005 – Employment and Volunteers: Disclosures, Certification Requirements, Assurances and Approval

Legal References:	RCW 28A.400.320	Crimes against children – Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by district
	RCW 28A.405.470	Crimes against children – Mandatory termination of certificated employees – Appeal – Recovery of salary or compensation by district
	RCW 28A.410.090	Revocation or suspension of certificate or permit to teach – Criminal basis – Complaints – Investigation – Process
	RCW 28A.410.100	Revocation of authority to teach—Hearings
	RCW 28A.410.110	Limitation on reinstatement after revocation – Reinstatement prohibited for certain felony crimes
	Chapter 181-79A WAC	Standards for teacher, administrator, and educational staff associate certification
	Chapter 181-86 WAC	Professional certification – Policies and procedures for administration of certification proceedings
	Chapter 181-87 WAC	Professional certification – Acts of unprofessional conduct
	WAC 181-79A-155	Good moral character and personal fitness – Necessary supporting evidence applicants

Classification: Encouraged

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