

WESTMORLAND UNION ELEMENTARY SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4100: RULES OF CONDUCT

- A. Each employee is required to perform all listed duties and responsibilities contained in applicable Board Policies, the applicable job description and applicable law.
- B. Each employee shall follow all reasonable directives from the employee's immediate supervisor, the Superintendent or designee, and the Board. Each employee is required to follow all such directives unless they necessarily place the employee, another employee or a student in an unsafe or dangerous condition; or they necessarily require the violation of applicable law.
- C. Each employee shall adhere to relevant working conditions, the employee's assignment, including any rules or regulations regarding discipline, established by the Board, the Superintendent or the Principal.
- D. Each employee shall adhere to all applicable law, including the law covering the operations of the District, the educational program of the District, the rights of students, the rights of employees, and the rights of parents and the public.
- E. The District is an equal employment opportunity employer which complies with all applicable federal and state non-discrimination laws. The District does not tolerate the violation of such laws by any employee. The District also does not tolerate illegal sexual harassment or any other illegal harassment by an employee.
- F. The District is committed to all applicable laws concerning equal educational opportunity for all the students in the District. The District does not tolerate the violation of such laws by any employee.
- G. Each employee is prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance in any workplace or facility of the District. Each employee must notify the Superintendent in writing within five (5) days of any drug or alcohol statute conviction for a violation occurring in any workplace or facility of this District. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence.
- H. No employee shall be under the influence of alcohol or a controlled substance while the employee is acting within the scope of employment. The use of drugs under and consistent with the directions of a physician which does not

unreasonably impair the performance of an employee is not prohibited. An employee may use prescribed drugs while acting within the scope of employment as long as such use is under and consistent with the directions of a physician and such use does not unreasonably impair the performance of the employee.

- I. Each employee shall report any unsafe condition or illegal activity to the Superintendent as soon as possible after discovering the unsafe condition or illegal activity. The District does not tolerate the observance of illegal activity without reporting it as soon as possible to a representative of the District.
- J. The District requires each employee to adhere to the Child Abuse And Neglect Reporting Act (Penal Code sections 11164-11174.3). Each employee who has knowledge of or observes a child in the employee's professional capacity or within the scope of employment when the employee knows or reasonably suspects has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone. Each employee then shall prepare and send a written report to the child protective agency within 36 hours of receiving the information concerning the incident.
- K. No employee shall inflict, or cause to be inflicted, corporal punishment upon a student. The term "corporal punishment" means the same as it is defined by Education Code section 49001. Each employee is required to adhere to Education Code sections 49000 and 49001 which prohibit corporal punishment.
- L. No employee shall release confidential information involving another employee or a student to a parent or any other member of the public unless expressly authorized by applicable law, the Superintendent or designee, or the Board. Each employee is required to adhere to all applicable laws protecting the privacy rights of employees and students.
- M. No employee shall smoke at any workplace or facility of the District. The District discourages all employees from smoking, and prohibits smoking wherever an employee is acting within the scope of employment.
- N. Pursuant to Education Code section 44932(a), a permanent employee may be dismissed for:
 - 1. Immoral or unprofessional conduct;
 - 2. Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by law;
 - 3. Dishonesty;

4. Unsatisfactory Performance;
 5. Evident unfitness for service;
 6. Physical or mental condition unfitting them to instruct or associate with children;
 7. Persistent violation of or refusal to obey the school laws of California, or reasonable regulations adopted by the State Board of Education, or reasonable regulations or policies adopted by the District;
 8. Conviction of a felony or of any crime involving moral turpitude;
 9. Violation of statutes prohibiting the advocacy of communism;
 10. Violation of any provision in Education Code sections 7001 to 7007;
 11. Knowing membership in the Communist Party; or
 12. Alcoholism or other drug abuse which makes the employee unfit to instruct or associate with children.
- O. The Commission On Teacher Credentialing has adopted Rules of Conduct For Professional Educators which became operative on February 3, 1989. Each employee is required to abide by such rules which are set forth in the California Code of Regulations, Title 5, Sections 80331-80338.
- P. The Board delegates to the Superintendent the authority to adopt written rules or directives regarding the conduct of employees as long as they are not inconsistent with Policies adopted by the Board. Any such written regulations shall be adhered to as if they were adopted by the Board.

Legal Reference:

Education Code sections 35160, 35160.1, 35161, 44830, 44831

Date Policy Adopted By The Board: May 16, 1995

Date Policy Revised By The Board: May 20, 1997

Date Policy Revised By The Board: October 9, 2003