

JEMEZ VALLEY PUBLIC SCHOOLS

EMPLOYEE STANDARDS OF CONDUCT

I. General Standards of Conduct

Professional decision-making and demonstration of ethical values and leadership are integral characteristics for all Jemez Valley Public Schools' ("JVPS") employees. Thus, all JVPS employees are required to perform their duties in accordance with state law, federal law, and District policy.

Further, the New Mexico Public Education Department has set standards of acceptable ethical behavior and professional conduct in education that are applicable to all licensed school personnel, and instructional personnel under contract, including any other person who provides instructional services in a school but who does not hold a standard license, and whose presence is authorized by the New Mexico Public Education Department through a waiver, substandard license, substitute license, or an educational plan approved by the New Mexico Public Education Department. (NMAC 6.60.9.1 to 6.60.9.12 (as amended or recodified in the future).

In accordance with the provisions of JVPS Board Policy 200, the Superintendent hereby adopts the New Mexico Public Education Department's Code of Ethical Responsibility cited above and (as may be amended or recodified in the future), and by such adoption, makes the standards of the Code of Ethical Responsibility mandatory upon all personnel of the Jemez Valley Public Schools. Thus, compliance with the standards contained in the Code of Ethical Responsibility is a contractual duty of all licensed and non-licensed employees of the District.

Also, in accordance with JVPS Board Policy 200, the Superintendent further recognizes the need to adopt local standards of ethical behavior and conduct for both certified and non-certified personnel. The Superintendent recognizes the majority of JVPS employees exhibit appropriate and professional conduct but believes these regulations clarify and establish standards and expectations for employee professionalism. Therefore, the Superintendent, in accordance with Board Policy 200, adopts the following Employee Standards of Conduct as regulations for all employees. These standards, if violated, may form a basis for discipline, up to and including termination or discharge.

II. Local Standards of Conduct

This Employee Standards of Conduct supplements specific existing policies and those policies adopted hereafter which address conduct violating federal or state laws such as antidiscrimination policies and policies which include prohibitions on specific conduct in the work place. This Employee Standards of Conduct highlights general expectations for behavior in the workplace, employment responsibilities and sets forth concrete behaviors appropriate for all school personnel. This Employee Standards of Conduct also highlights behaviors that are strictly prohibited. We are committed to this Employee Standards of Conduct and understand that it provides minimal standards of accepted conduct for all employees of Jemez Valley Public Schools.

A. Cooperative Relationships

While acting in the course and scope of their employment, employees shall deal justly and considerately with each other, vendors, contractors, volunteers, students, board members, visitors, and parents. Employees shall seek constantly to ensure a safe and positive work and learning environment through cooperation with one another.

B. Professional Behavior

Jemez Valley Public School employees understand that their own conduct may be regarded as representative of their professions and Jemez Valley Public School District; thus, employees:

1. shall know the areas of their responsibility and the functions of their jobs, and shall faithfully perform those responsibilities and functions;
2. shall respect the role of each of their colleagues in the District;
3. shall know and respect the appropriate relationships that must exist between students and employees;
4. shall treat each other, vendors, contractors, volunteers, students, board members, visitors, parents, and other people encountered in the course of their employment fairly, honestly and with respect;
5. shall maintain a professional tone when communicating with employees, visitors, students, parents, volunteers, or persons encountered in the course of official duties;
6. shall strive to do the best work possible with intellectual honesty;
7. shall familiarize themselves with Board Policies and shall follow Board Policies;
8. shall keep the trust under which confidential student, personnel and financial information is exchanged, and shall avoid conduct connected with official duties that is unfair, dishonest, improper, or illegal, or gives the appearance of being unfair, dishonest, improper or illegal;
9. shall not post or share comments about JVPS staff that are intended to be humiliating, abusive, hostile or that would be seen as such by a reasonable person;
10. shall not share or post discriminatory comments that would have the effect of creating a hostile or abusive working environment based on race, color, genetic information, gender, gender identity, gender expression, sexual orientation, age, military veteran status, disability, religion, or national origin;
11. shall not engage in inappropriate displays of affection, even with consenting adults, while on school property or during off-campus school events;
12. shall immediately report to an administrator any physical or emotional mistreatment of a student or students or of other staff;
13. shall be mindful of the negative impact of staff absences and the importance of regular staff attendance on promoting student achievement and on supporting successful District operations;
14. shall use sick leave only when personally sick or for illnesses of immediate family members and/or for personal or immediate family members' medical appointments which cannot be scheduled before or after the duty day;
15. shall not use sick leave as paid time off or vacation days;
16. shall not use public school property to conduct personal business or personal affairs during the duty day except as permitted by Policies 248, 547 and 555;
17. shall not use public school property to operate a business;
18. shall not engage in outside employment, the performance of which conflicts with Jemez Valley Public School duties or duty hours;
19. shall serve as positive role models for all stakeholders and set good examples in conduct, manners, dress and grooming; and
20. shall report knowledge of any inappropriate behavior, which conflicts with state law, federal law, District policy, or the New Mexico Public Education Department Code of Ethics, to the proper authorities.

C. Dress Code

The dress and grooming of District employees during the duty day shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent of Schools. District employees shall act as role models, exemplifying the highest standards of professional appearance, to teach professional values and proper grooming and hygiene. The Superintendent may waive the dress code for District employees when school

is not in session or based on seasonal weather conditions, special events, and the like.

D. Harassment and Abuse Prohibited

Employees shall at all times comply with Policies 230, 337 and 338 in dealing with fellow employees and students. Employees shall not sexually harass visitors, volunteers, parents, or anyone else encountered in the course of official duties. Sexual harassment includes, but is not limited to:

1. making sexual advances or references;
 2. participating in any inappropriate verbal or physical conduct, even where employee believes the employee, student, parent, volunteer, visitor, or person encountered in the course of official duties consents to or initiates the activity;
 3. displaying, distributing, or playing sexually oriented or explicit materials where other employees, students, parents, volunteers, visitors, or persons encountered in the course of official duties can see them; and
 4. creating an intimidating, hostile, or offensive environment.
- Additionally, while acting in the course and scope of their employment, employees shall not engage in any other type of harassment or abusive treatment of other employees, students, visitors, parents, or anyone else encountered in the course of official duties. Accordingly, the use of discriminatory remarks and/or epithets regarding a person's race, color, genetic information, gender, gender identity, gender expression, sexual orientation, age, military veteran status, disability, religion, or national origin is prohibited.

E. Bullying Prohibited

While acting in the course and scope of their employment, employees shall not engage in bullying, intimidation or harassment toward students in violation of Policy 338. Bullying, intimidation or harassment against fellow employees, subordinates and supervisors is also a form of workplace aggression which will not be tolerated. Workplace bullying is the repeated mistreatment of individuals or groups using persistent aggressive or unreasonable behavior, through tactics like verbal, nonverbal, psychological, physical abuse, and humiliation and includes repeated incivility, rudeness, and discourteous verbal and nonverbal behaviors. Bullying behavior is unrelated and contrary to the employer's legitimate business interests. The legitimate exercise of employee management, including assigning tasks, duties or locations for the performance of duties, coaching, and taking work-related disciplinary actions against an employee is not bullying. Employees who believe they are being bullied should immediately report the bullying to an appropriate supervisor.

F. Financial Responsibility

All District employees have the responsibility to protect District assets and shall be expected to be alert to the potential for: theft of property, theft of services, or theft of anything of value, fraud, misappropriation, or other financial impropriety. Any employee who knows or has reason to know of or suspects an occurrence of fraud, misappropriation, or financial impropriety shall immediately notify his or her supervisor or the Superintendent. Employees who knowingly make false allegations shall be subject to discipline up to and including termination.

G. Duties During an Investigation

During an investigation relating to an alleged or actual violation of any law or Board policy, an employee who is not responsible for, or assigned duties relating to an investigation shall:

1. Refrain from contacting the suspected individual in an effort to determine facts or demand restitution.
2. Refrain from discussing the investigation, facts, suspicions, or allegations with anyone outside the organization or those within the organization unless specifically authorized to do so by a supervisor or the Superintendent.
3. Cooperate with the investigative process by being honest and by providing all relevant and factual information about matters inquired.
4. Submit a written statement upon request.

The foregoing is not intended to restrain an employee from reporting misconduct to an appropriate supervisor or other regulatory agency.

An employee's failure to comply with an administrator's lawful directives during an administrative investigation constitutes "insubordination," and may be grounds for disciplinary action up to and including termination. Intentional falsification, misstatement, or the concealment of a material fact in connection with an administrative investigation shall be deemed as "providing untruthful statements" and shall be grounds for disciplinary action up to and including termination or discharge.

H. Retaliation Prohibited

The District prohibits retaliation by supervisors against an employee who makes a claim alleging to have experienced discrimination or harassment or bullying or who files or makes a complaint in good faith, or retaliation by an employee or employees against another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

Examples of retaliation may include, but are not limited to, termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or unjustified surveillance. An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation shall be subject to appropriate discipline. Disciplinary action taken against such an employee shall not constitute retaliation.

I. Safety Requirements

All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

J. Electronic Media

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing Web sites and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and Web-based applications.

Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state law, federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

An employee shall obtain written consent from a student's parent or guardian, and from his or her principal, before the employee may make or authorize photographing, a video recording of a student or record or authorize the recording of a student's voice. No photographic or video or audio recording of students will be posted on any employee's personal media sites. The principal's written consent prior to video or audio recording or photographing a student shall be obtained even when the law does not

require the consent of a parent or guardian, such as when the video or audio or recording will be used for purposes of safety or for a purpose related to regular classroom instruction, as provided by law. In the case of videotaping a deposition for an employee termination/grievance action, the only consent to be obtained in advance shall be that of the student's parent or guardian.

The following shall apply to the use of electronic communication devices, such as cell phones, iPods, electronic note pads, tablets and other personal communication devices for non-school business during working hours:

1. cellular communication for personal business may be conducted during non-duty periods only;
2. cellular or electronic communication for personal purposes shall not interfere with an employee's responsibility to complete the employee's job requirements and functions;
3. cellular communication for personal business shall be conducted in a manner that does not interfere with the quiet enjoyment of common areas or employee lounges (i.e., the employee shall not speak in a loud voice or use speaker phone or other speaker device).

K. Relationships with Students

Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between any student and a District employee is prohibited, even if consensual. Similarly, employees shall not have inappropriate contact with any student, whether or not on school property. Inappropriate contact includes, but is not limited to, all forms of sexual touching, sexual relations, or romantic relations; inappropriate touching, such as embracing, petting, handholding, kissing, or other intimate touching; and, any open displays of affection or favoritism toward mostly boys or mostly girls.

Employees shall immediately report all reasonable suspicions that another employee has engaged in sexual harassment or sexual contact with a student; or that any other adult has engaged in sexual contact or any other type of physical or emotional abuse, or neglect, of a minor or any student on school property or during school sponsored events.

Employees shall comply with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g, 34C.F.R. Part 99), the Individuals with Disabilities Education Act (20 U.S.C. Section 1401 et seq., 34 C.F.R. Part 300), the Mental Health and Developmental Disabilities Code (Section 43-1-19, NMSA 1978), the Inspection of Public Records Act (Section 14-2-1 et seq., NMSA 1978), the Public School Code (Section 22-1-8, NMSA 1978), and the Children's Code (Sections 32A-2-32, 32A-4-3, NMSA 1978), and withhold confidential student records or information about a student or his/her personal and family life, unless release of information is permitted by the student's parent(s)/legal guardian, or required by law.

Employees shall avoid using their positions to exploit or unduly influence a student into engaging in illegal, immoral, or inappropriate acts, or any other behavior that would subject an employee or student to discipline for misconduct, whether or not the student actually engages in the behavior.

Employees shall tutor students only in accordance with Policy 242, only after written permission from the student's parent(s)/legal guardian, and only at a place or time approved by JVPS and the student's parent(s)/legal guardian.

Employees shall refrain from lending a student money except in instances of emergencies, or in which a student's safety or well-being may otherwise be threatened, or the student will otherwise be unable to participate in a school activity. All such instances and the reason for the action shall be reported to the employee's supervisor, as soon as practicable.

Employees shall avoid offering or giving a ride to a student unless absolutely necessary to the student's

safety or well-being, and all such instances shall be reported to the Superintendent or any School or District administrator. Any employee with concerns about the appropriateness of assisting a student should report those concerns and seek the advice of the appropriate school administrator such as the principal, counselor, or social worker.

Employees shall avoid any unauthorized or inappropriate discipline of a student in excess of, or contrary to, Board policy. Employees shall also avoid engaging in violent or threatening behavior toward students, regardless of provocation, except when required for the immediate defense from serious physical harm of the employee, another student, staff member, or authorized person on campus.

III. Violation of Standards of Conduct

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations and guidelines that impose duties, requirements, or standards attendant to their status as District employees. Violation of any policies, regulations, and guidelines may result in disciplinary action, and/or termination or discharge of employment.

