



**Georgia Professional  
Standards Commission**

*Protecting Georgia's Higher Standard of Learning*



**The Georgia Code of Ethics for Educators  
~ MODULE SERIES for ~**

# **PARAPROFESSIONALS**

**Standard 1: Legal Compliance**



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**PARAPROFESSIONALS**

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# Standard 1: Legal Compliance

This *Facilitation Guide* accompanies the Paraprofessional Ethics Training Module for Standard 1 of the Georgia Code of Ethics for Educators (COE). The guide contains suggested directions and time allotments for synchronous instruction, yet can be adapted for asynchronous learning environments.

## WELCOME & INTRODUCTIONS

*Time: 5 Minutes*

### Slides 1-3

Welcome participants and make appropriate introductions.

## LEARNING INTENTIONS & SUCCESS CRITERIA

*Time: 3-5 Minutes*

### Slide 4

Share the *Learning Intentions* and *Success Criteria* of the training as listed below:

#### LEARNING INTENTIONS

1. I am learning about Standard 1 (Legal Compliance) of the Georgia Code of Ethics for Educators (COE).
2. I am learning best practices in working with legal compliance.
3. I am learning how to protect myself in dealing with legal compliance.

#### SUCCESS CRITERIA

1. I will know and understand the definition and overview of Legal Compliance.
2. I will learn the dos and don'ts regarding Legal Compliance.
3. I can determine how to respond professionally in different situations.
4. I will learn about additional resources to further my knowledge.

Share the following quote from Dr. Martin Luther King Jr., “The time is always right to do what is right.”

State the importance of doing what is right at all times as Georgia educators.

#### Slide 5

## DEFINITIONS AND OVERVIEW

*Time: 10 minutes*

#### Slide 6

Ask a participant to read the definition on slide 7. Legal compliance is when an educator shall abide by federal, state, and local laws and statutes.

Explain to participants over the next few slides they will review Legal Compliance as defined by the Georgia Professional Standards Commission (GaPSC). Let participants know the group will discuss moral turpitude in depth later in the session.

The following definitions are found in The Code of Ethics for Educators – Standard 1, available at <https://www.gapsc.com/Rules/Current/Ethics/505-6-.01.pdf>.

#### Slide 7

Violations of Legal Compliance include but are not limited to the commission or conviction of a felony or of any crime involving moral turpitude.

#### Slide 8

Violations of Legal Compliance include but are not limited to any other criminal offense involving the manufacture, distribution, trafficking, sale, or possession of a controlled substance or marijuana as provided for in Chapter 13 of Title 16.

#### Slide 9

Violations of Legal Compliance include but are not limited to any other sexual offense as provided for in Code Section 16-6-1 through 16-6-17, 16-6-20, 16-6-22.2, or 16-12-100.

#### Slide 10

Violations of Legal Compliance include but are not limited to any other laws applicable to the profession.

Pause and ask participants for questions. Explain legal jargon can be confusing, yet Georgia educators are called to follow all laws at all times both inside and outside of school.

**Slide 11**

Explain to participants conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless if an appeal of the conviction has been sought or filed.

Explain *nolo contendere* is not technically a conviction, but rather a plea of “no contest” and is a way to close a case without admitting guilt. It cannot be used in all cases.

**Slide 12**

Conviction also includes a situation where first offender treatment without adjudication of guilt was granted.

Explain the Federal First Offender Act (FFOA) is intended to give first time offenders a chance to learn from their mistakes without the burden of a conviction, but the records are available for employment with children. Even though one may complete a First Offender program, the incident should be reported on the GaPSC application.

**Slide 13**

Additionally, conviction includes a situation where an adjudication of guilt was withheld or not entered or the charge was disposed in a similar manner.

**Slide 14**

Participants watch the Georgia Code of Ethics: Standard 1 – Legal Compliance video (available at <https://vimeo.com/478991283>).

**Slide 15**

Explain to participants they will now explicitly review what is and is not considered moral turpitude with regard to the legal compliance of educators in Georgia.

Moral turpitude, in its legal sense, includes everything contrary to justice, honesty, modesty, or good morals.

In Georgia, the test for whether a felony is one involving moral turpitude is, “Does the crime, disregarding its felony punishment, meet the test as being contrary to justice, honesty, modesty, good morals, or man’s duty to man?”

Have participants read the moral turpitude document available at [https://www.gapsc.com/Ethics/Downloads/moral\\_turpitude.pdf](https://www.gapsc.com/Ethics/Downloads/moral_turpitude.pdf).

**Slide 16**

Review the offenses considered moral turpitude, which include:

- Fraud or false pretense in obtaining something of value
- Larceny or a misdemeanor theft by taking
- Larceny after trust
- Murder, voluntary manslaughter

- Soliciting for prostitutes
- Sale of narcotics or other illegal drugs
- Pattern of failure to file federal tax returns in years in which taxes are due
- Criminal issuance of a bad check
- Making a false report of a crime

The list above is available at [https://www.gapsc.com/Ethics/Downloads/moral\\_turpitude.pdf](https://www.gapsc.com/Ethics/Downloads/moral_turpitude.pdf).

Allow for questions and/or discussion.

### Slide 17

Review legal offenses that are not considered moral turpitude:

- Public drunkenness
- Driving under the influence of alcohol
- Carrying a concealed weapon
- Unlawful sale of liquor
- Fighting
- Simple battery, simple assault
- Misdemeanor criminal trespass
- Child abandonment
- Misdemeanor offense of escape or obstructing a law enforcement officer
- Possession of less than one ounce of marijuana

Remind participants of the Georgia Code of Ethics: Standard 8 – Legal Compliance video, available at <https://vimeo.com/478991283>, and what the principal explained regarding legal offenses not considered moral turpitude. Employees must adhere to their district’s employee handbook on policies about reporting the offenses to his/her principal.

### Slide 18

## SCENARIOS

*Time: 5 Minutes*

Ask a participant to read each scenario aloud for the whole group. Discuss each scenario as to if this is a violation of the Code of Ethics and determine how each situation should be professionally handled.

### Slide 19

Scenario #1:

An educator and his wife were involved in a domestic dispute, and the police were called to the home. The educator was charged with simple battery. Is this a violation of the Code of Ethics?

### Slide 20

Correct Answer #1: Not a violation of the Code of Ethics as this is not a violation of moral turpitude and does not rise the level of a reportable offense to the GaPSC. However, check the local board policy as many school districts require reporting to the immediate supervisor when charged with a crime.

### Slide 21

Scenario #2:

The educator, a special education paraprofessional, was arrested for pandering while employed with a local school system on October 12, 2016. The educator was hired as a substitute teacher by the school system on July 16, 2016, and on January 4, 2017, as a paraprofessional. The educator failed to report the arrest, and later pled no contest on the pandering charge on March 10, 2017.

The educator did not disclose the arrest until answering the personal affirmations on a GaPSC application on October 2, 2020. The educator acknowledged the arrest; however, he declared he was unaware of the requirement to report the arrest.

Has he violated Standard 1: Legal Compliance of the Code of Ethics although he was unaware of the requirement to report the arrest?

### Slide 22

Correct Answer #2: Yes, this is a violation of Standard 1: Legal Compliance. Even when an arrest does not rise to the level of reporting to the GaPSC, check the local board policy as many school districts do require reporting of all prior arrests to their immediate supervisors.

### Slide 23

## CHECK FOR UNDERSTANDING

*Time: 5 Minutes*

Read each question and answer. Allow for discussion as needed.

### Slide 24

Checking for Understanding #1:

A paraprofessional has not filed federal income taxes for the past 3 years. Is this an example of moral turpitude?

Yes or No?

### Slide 25

Correct Answer #1: Yes

A pattern of failure to file federal tax returns in years in which taxes are due is considered a crime involving moral turpitude.

### **Slide 26**

Checking for Understanding #2:

An educator is arrested for possession of less than one ounce of marijuana. Is this an example of moral turpitude?

Yes or No?

### **Slide 27**

Correct Answer #2: No

Possession of less than one ounce of marijuana is NOT considered a crime involving moral turpitude.

### **Slide 28**

Checking for Understanding #3:

An educator has been arrested for selling narcotics. Is this an example of moral turpitude?

Yes or No?

### **Slide 29**

Correct Answer: Yes

The sale of narcotics or other illegal drugs is considered a crime involving moral turpitude.

### **Slide 30**

## **RESOURCES**

### **Slide 31**

GaPSC. (n.d) *Moral Turpitude* document, available at:

[https://www.gapsc.com/Ethics/Downloads/moral\\_turpitude.pdf](https://www.gapsc.com/Ethics/Downloads/moral_turpitude.pdf)

### **Slide 32**

Georgia Code of Ethics for Educators – Standard 1 (page 2) available at:

<https://www.gapsc.com/Rules/Current/Ethics/505-6-.01.pdf>

## **CLOSING**

*Time: 5 Minutes*

### **Slide 33**

Allow time for questions and discussion as needed.



Thank participants for attending today's session. Read the following quote by Douglas Adams, "To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity."

**Slide 34**

**MODULE EVALUATION**

Please complete the voluntary evaluation of Module 1 of the GaPSC Paraprofessional Ethics Training, which is available [here](#). Your feedback is appreciated. [TEST](#)