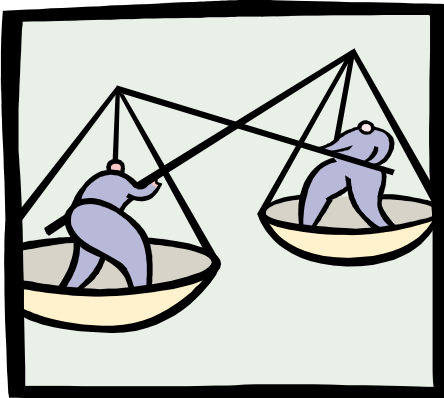


May 7, 2007

In This Issue ...

- ⇒ **Ethics and the Teaching Profession**
- ⇒ **An Informed LEA Member Speaks Out on the Nebraska Teacher Code of Ethics**



Ethics and the Teaching Profession

Helping LEA Members Be Informed—

Part Two of a Series of Two: The Teacher Code of Ethics for the State of Nebraska

In the first article in this series for the *LEAdvocate* we addressed the Teacher Code of Ethics: what it is and why it is different for members of our profession. If you missed the article, you can still access it at:

http://lincolneducationassociation.org/files/Advocate_2006_16.pdf

Nearly every state in the United States has a Code of Ethics for teachers. In 1967, the Nebraska State Legislature declared that “teaching and the related services including administrative and supervisory services are a profession, and that this profession shall possess all the rights, responsibilities, and privileges accorded all other recognized professions. In accordance with this declaration, the State Board of Education... adopted Standards of Conduct and Ethics for teachers and administrators who hold Nebraska school certificates issued by the Nebraska Department of Education... Failure to abide by the standards may subject a certificate holder to disciplinary action by the Commissioner of Education, the Professional Practices Commission, or the State Board of Education” (State of Nebraska Department of Education Standards of Conduct and Ethics for Holders of Public School Certificates Preamble).

Foremost among the Standards are five principles established by the NDE:

- I. Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.
- II. Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

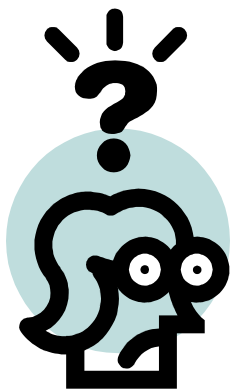
- III. The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of and confidence in the rule of law, a respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.
- IV. In the belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.
- V. The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

With each of the above “principle” there are specific mandates spelled out for educators.

The LPS Board of Education, likewise, has stated in policy (4760) that LPS “expects all certificated employees to abide” by the NDE Standards of Conduct and the above principles, and includes the standards among the LPS Regulations for professional educators. The complete LPS Board Policy and the Regulations which include the “Principles” and above mentioned mandates for certificated staff can be assessed at: http://www.lps.org/about/policies/documents/4000_000.pdf. The pertinent pages among the pdf file run from pages 84-89.

Failure to meet the NDE Standards of Conduct place teachers at risk not only with their LPS employment, but with the maintenance of their teaching certificate because complaints can and will be filed with the NDE’s Professional Practices Commission regarding alleged violations of the Standards for investigation and possible action by the Commissioner of Education.

SO WHAT DOES IT ALL MEAN?



As stated in the first article, the plain and simple fact is that teachers are held to a higher standard of conduct than other professions because teachers are working with children who are not only receiving an education at school, but are in the formative stages of their development, even during adolescence. The Code of Ethics mandates that educators value the worth and dignity of individuals, for teachers to place their primary concern for the development of each student’s potential, and to strive to achieve and sustain the highest degree of personal ethical conduct.

It is a fact that *relatively few educators ever commit violations of the Code of Ethics* even though teachers are held accountable for their private lives, as well as their public lives more than other professionals.

As long as members are aware of the expectations and standards for their profession and they use common sense and rational judgment, problems seldom do or will occur.

If you or a member in your building ever has questions about standards of behavior or expectations for educators, call the LEA Office without hesitation (489-7500).

If you become aware of a colleague who is a **member** of the LEA/NSEA/NEA who is dealing with allegations that they may have violated Standards of Conduct or the NDE Code of Ethics, encourage them to contact the LEA.

Keep in mind that the Association respects a member’s confidentiality and that when a member is receiving support, advice, and representation from the Association and/or the NSEA law firm that there

is little if anything that will be released to others about the member's case regardless of whether the case is in a formative or on-going stage and even when the case has been concluded.

- Should members have actually become involved in criminal behavior they should never actually say so to an Association representative (or to anyone else for that matter). Members and LEA staff do not legally have a "client/attorney" privilege. If a member feels they need the protection of a "client/attorney" relationship, LEA staff will assist or advise the member regarding an appropriate attorney.
- Members receive legal services via their local Association who provides NSEA with the necessary documentation to trigger those legal services. When it comes to legal services for teachers in the state of Nebraska as it relates to job security issues, it can be said with confidence that *no attorneys know the law for educators better than those retained by the NSEA*. Many of the laws that are a part of current state statute were written by NSEA attorneys and were placed into law by NSEA lobbying and public education senators supported by the NSEA.
- Going outside of the NSEA for legal services having to do with job security is done *at great risk by any member* because few attorneys have the legal background or the working relationships and experiences with school law firms as does the NSEA law firm. Employing an attorney outside of the NSEA law firm for job security actions also invalidates a member's access to NSEA legal services as the NSEA has a policy that their attorneys will not coordinate efforts with other attorneys on a job security case (this rule does not apply to individuals who have the necessity to retain a criminal lawyer since the NSEA does not represent members in criminal matters except for charges as they relate to corporal punishment).
- The attorneys working for NSEA members *accept only educator cases*; they never represent school boards.
- Members who would like to access the entire NSEA Legal Assistance Policy may do so by going to the LEA website page and click on the handbook that contains the NSEA Legal Assistance Policy at: <http://www.lincolneducationassociation.org/memberresources.html>
- Members need to keep in mind that the NDE Standards of Conduct apply to school administrators as well as to teachers. Members should contact LEA should they or other members in their building have concerns about how their administrators are meeting their responsibilities as they relate to the NDE Standards of Conduct.

Additional source for this article: <http://www.palmbeach.k12.fl.us/Jobs/codeofethics/ethics.pdf>.

An Informed LEA Member Speaks Out on the Nebraska Teacher Code of Ethics



Many LEA members know **Daniel Ross**, former LEA Vice President, member of the LEA Board of Directors, member of the NSEA Board, and one of two current Nebraska representatives to the NEA Resolutions Committee. His participation in and knowledge of the Association is too encompassing to list here. He currently teaches at Calvert Elementary School and is an LEA faculty representative, too. What many members may not be aware of is that Daniel Ross is also a teacher representative on the state-wide Nebraska Professional Practices Commission. This group hears and makes recommendations on formal complaints that come before the Board.

Following the April 19th Faculty Representative Council in which LEA UniServ

Director Dan Studer enlarged upon his monthly written report to FR's and spoke about teachers, the Code of Ethics, and the up-coming *LEAdvocate* articles on the subject, Daniel Ross sent the following message:

“Your presentation came back to me on Saturday at NE Professional Practices Commission. The chief counsel for the Dept. of Ed. reminded us that one mistaken assumption educators hold is that every aspect of their private lives will remain private. The tax paying public sees educators as educators 24 hours a day, every day of the year, and so does the State Department of Education. The personal conduct of every one of us is examined way more carefully than that of most other citizens.

“That's where Association membership is so important. The director of Human Resources for Millard sits on the Commission also, and he has told me he would always rather deal with a member than a nonmember because the Association knows how to handle issues of employment and performance.”

Daniel concluded his comments with this sage advice: “We need to keep hammering away at the issue with our membership. They need to be aware of the consequences of their actions so they always make well-informed, conscious decisions in their lives. Likewise, non-members need to wise up and join the Association.”

LEA will be providing paper copies of the two articles on

Teachers and the Code of Ethics in the near future

so that members have this material for their files and quick reference, as needed.

A BASIC RIGHT: A Great Public School for Every Child