

APPENDIX

TITLE 92 NEBRASKA DEPARTMENT OF EDUCATION CHAPTER 27 PROFESSIONAL PRACTICES CRITERIA

Subject: Standards of Ethical and Professional Performance for Public School Certificate Holders

Statutory Authority: 79-866

Code Section: 004

004.01 Preamble: The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this chapter.

The standards listed in this section are held to be generally accepted minimal standards for public school certificate holders in Nebraska with respect to ethical and professional conduct and are, therefore, declared to be the criteria of ethical and professional performance adopted pursuant to the provisions of Section 79-866 R.R.S. for holders of public school certificates.

If the certificate holder is employed in a nonpublic school, that context shall be taken into account in the application of these standards.

004.02 Principle I – Commitment as a Professional Educator: 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.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

004.02A Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.

004.02B Shall not discriminate on the basis of race, color, creed, gender, marital status, age, national origin, ethnic background, or disability.

004.02C Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence professional decisions.

004.02D Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.

004.02E Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.

004.02F Shall not sexually harass students, parents or school patrons, employees, or board members.

004.02G Shall not have revoked for cause a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which a special services certificate is issued in Nebraska.

004.02H Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.

004.02I Shall report to the commissioner any known violation of Sections 004.02G, 004.04E, or 004.05B of this chapter.

004.02J Shall seek no reprisal against any individual who has reported a violation of this chapter.

004.03 Principle II – Commitment to the Student: Mindful that a professional exists for the purpose of serving the best interest 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 worth goals.

In fulfillment of the obligation to the student, the educator:

004.03A Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.

004.03B Shall not deliberately suppress or distort subject matter for which the educator is responsible.

004.03C Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.

004.03D Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.

004.03E Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.

004.03F Shall not tutor for remuneration students assigned to his or her classes unless approved by the local board of education.

004.03G Shall not discipline students using corporal punishment.

004.04 Principle III – Commitment to the Public: 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.

In fulfillment of the obligation to the public, educator:

004.04A Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.

004.04B Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.

004.04C Shall neither offer not accept gifts or favors that will impair professional judgment.

004.04D Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.

004.04E Shall not commit any act of moral turpitude or any felony under the laws of the United States of any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21.

004.04F Shall, with reasonable diligence, attend to the duties of his or her professional position.

004.05 Principle IV – Commitment to the Profession: 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.

In fulfillment of the obligation to the profession, the educator:

004.05A Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

004.05B Shall not misrepresent his or her professional qualifications, nor those of colleagues.

004.05C Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

004.06 Principle V – Commitment to the Professional Employment Practices: 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.

In fulfillment of the obligation to professional employment practices, the educator:

004.06A Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.

004.06B Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.

004.06C Shall give prompt notice to the employer of any change in availability of service.

004.06D Shall conduct professional business through designated procedures, when available, that have been approved by the employing agency.

004.06E Shall not assign to unqualified personnel, tasks for which an educator is responsible.

004.06F Shall permit no commercial or personal exploitation of his or her professional position.

004.06G Shall use time on duty and leave time for purpose for which intended.