

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 162
EMPLOYEE CODE OF CONDUCT (5902)**

§126-162-1. General.

1.1. Scope. -- Code of conduct for all West Virginia school employees.

1.2. Authority. -- West Virginia Constitution, Article XII, §2 and W. Va. Code §§18-2-5, 18-2E-5, and 18A-1-1(a).

1.3. Filing Date. -- June 7, 2002.

1.4. Effective Date. -- July 7, 2002.

1.5. Repeal of Former Rule. -- This legislative rule repeals and replaces W.Va. 126CSR162 "Teacher Code of Conduct" filed February 25, 1992 and effective March 26, 1992.

§126-162-2. Application.

2.1. This legislative rule applies to all West Virginia school employees.

2.2. This policy is to complement W.Va. §126CSR142, West Virginia Board of Education Policy 5310, "Performance Evaluation of School Personnel" and W.Va. §126CSR99, West Virginia Board of Education Policy 4373, "Student Code of Conduct".

§126-162-3. Purpose.

3.1. The West Virginia Board of Education recognizes that the capabilities and conduct of all school employees greatly affect the quality of education provided to students in the public schools. The West Virginia Board of Education further believes that all school employees should be intrinsically motivated by the importance of the job that they do. The purpose of the Employee Code of Conduct is to establish appropriate standards of conduct for all West

Virginia school personnel.

3.2. These regulations also require that West Virginia public school employees respond immediately and consistently to incidents of bullying, harassment, intimidation, substance abuse, and/or violence or any other code of conduct violation that impacts negatively on students in a manner that effectively addresses incidents, deters future incidents, and affirms respect for individuals.

§126-162-4. Employee Code of Conduct.

4.1. "Employee" shall include all school personnel employed by a county board of education whether employed on a regular full-time basis or otherwise, and shall include other personnel such as employees of the West Virginia Schools for the Deaf and the Blind, and all employees of West Virginia Department of Education Institutional Programs.

4.2 All West Virginia school employees shall:

4.2.1. exhibit professional behavior by showing positive examples of preparedness, communication, fairness, punctuality, attendance, language, and appearance.

4.2.2. contribute, cooperate, and participate in creating an environment in which all employees/students are accepted and are provided the opportunity to achieve at the highest levels in all areas of development.

4.2.3. maintain a safe and healthy environment, free from harassment, intimidation, bullying, substance abuse, and/or violence, and free from bias and discrimination.

4.2.4. create a culture of caring through understanding and support.

4.2.5. immediately intervene in any code of conduct violation, that has a negative impact on students, in a manner that preserves confidentiality and the dignity of each person.

4.2.6. demonstrate responsible citizenship by maintaining a high standard of conduct, self-control, and moral/ethical behavior.

4.2.7. comply with all Federal and West Virginia laws, policies, regulations and procedures.

§126-162-5. Responsibilities for Implementation.

5.1. The West Virginia Department of Education shall provide for the distribution of the Employee Code of Conduct to all West Virginia school employees.

5.2. The West Virginia Department of Education shall provide professional development for county superintendents and principals on the Employee Code of Conduct.

5.3. County boards of education shall provide professional development for all employees on the Employee Code of Conduct.

§126-162-6. Severability.

6.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.