

HUMAN RESOURCES

Duties, Responsibilities, and Rights of Employees

Education Employee Obligations and Rights

This policy supersedes Policy 4410.3.

I. PURPOSE

To establish policy regarding the general duties of educational employees, expectations regarding pupil behavior, reprimand or demotion of an educator, and an educator's academic freedom.

II. SUMMARY OF CHANGES SINCE LAST PUBLICATION

Section IV.E. has added language to further clarify laws and regulations that educational employees must observe to preserve the student's right to privacy and confidentiality in regard to discipline and records.

III. GENERAL DUTIES

All educational employees shall be responsible for leading children and youth to desirable patterns of general conduct and behavior. The practice of exemplary conduct in all personal, social, and professional affairs shall be expected of all employees. Manner and dress shall at all times be appropriate to the activity of the moment and shall be such as to maintain dignity and respect.

Educational employees shall be on the job as required by the position. However, it is not considered that a specified number of hours necessarily discharges the educational employee's full responsibility to his or her professional obligation.

Duties outside class time shall be scheduled in a manner designed to balance the workload of staff members.

Class size is recognized as a factor in contributing to a desirable school learning environment.

IV. RESPONSIBILITIES AND RIGHTS WITH REGARD TO PUPIL BEHAVIOR

A. Educational Employee's Rights

School discipline shall be based on the assumption that pupils adhere to a code of acceptable behavior; that they conform with applicable laws, School Board policies, regulations, and local school rules; and that they comply with directions issued by appropriate School Board employees.

B. Educational Employee's Responsibility

It shall be the educational employee's responsibility to maintain order and control in the classroom through effective teaching and leadership techniques and, in cases of minor infractions, through imposition of appropriate classroom discipline as defined by School Board policy.

C. School Board's Responsibility

The School Board shall be responsible for giving support and assistance to educational employees with respect to the maintenance of control and discipline in the classroom. In aggravated instances in which a principal determines that a particular pupil requires the attention of special counselors, social workers, or law enforcement personnel, the principal shall make every effort to secure such assistance and shall help the teacher provide a suitable program of instruction for the pupil. Such assistance could include modifying the teacher's responsibilities and removing the pupil from class.

D. Correction of Student Misbehavior

School authorities shall endeavor to correct student misbehavior through counseling, interviews, and conferences, which, when warranted, shall be extended to include the child's parents. More severe measures such as suspension shall be imposed for serious or persistent infractions of school rules and regulations.

E. Records on Discipline

Individual records on student discipline shall be available to designated educators pursuant to school system regulations as an aid in determining disciplinary recommendations. In acting on the educational staff member's request, the principal or his or her designee shall consider appropriate regulations and professional standards. Educational employees shall strictly observe federal and state law, appropriate regulations, and professional ethics with regard to the student's right to privacy and confidentiality in matters of student discipline and student records.

F. Educator Protections

Time lost by an educational employee in connection with any incident covered by this policy shall be handled in accordance with established leave policies and/or applicable workers' compensation regulations. These include leave provision for court appearances and benefits as applicable within the rules of leave regulations.

On request, the School Board shall make available legal counsel to advise an educational employee of his or her rights and obligations with respect to job-

related assault and battery against the educational employee and shall offer reasonable and necessary assistance to the educational employee in connection with handling the incident by law enforcement and judicial authorities.

The School Board shall allow consideration for reimbursement for reasonable attorney's fees incurred in defending an educational employee charged with a crime arising out of the regular course of employment so long as the charges are ultimately dismissed.

V. REPRIMAND OR DEMOTION

Any formal reprimand of an educational employee shall not be administered in the presence of students, other nonsupervisory employees, or parents. If an educational employee is to be disciplined or reprimanded, he or she may have a representative present.

No educational employee shall be reduced in rank without written notice.

VI. ACADEMIC FREEDOM

Educational employees shall have academic freedom to teach subject to reasonable standards of professional responsibility, applicable Fairfax County School Board policy, and due regard for the maturity level of the students involved.

See also the current version of: Regulation 2701, Student Personal Data

Policy
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