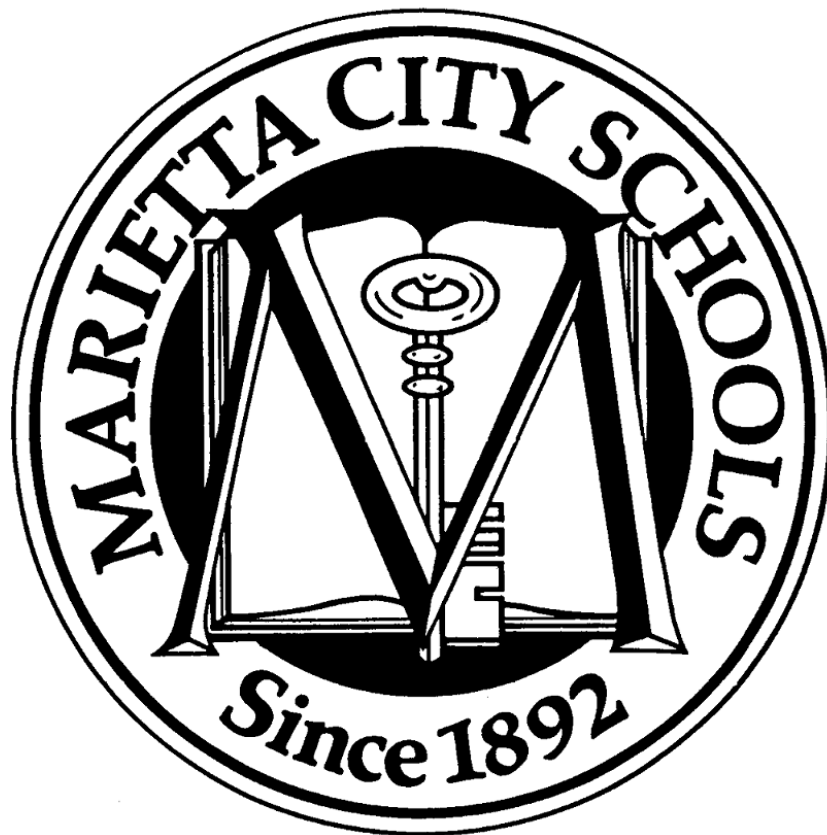


# SCHOOL GOVERNANCE TEAM BYLAWS

(Charter Term 2013 – 2023)



**Marietta City Schools**

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# School Governance Team Bylaws and Guidelines

## INITIAL MATTERS

### Article I Name

The name of this school governance team shall be the School Governance Team (or “SGT”) organized as a governing council for the school, pursuant to the authority of the Board of Education of the City of Marietta, the Charter Schools Act (O.C.G.A. § 20-2-2060 et seq.), applicable state and federal law, and the Charter System Petition of the Board of Education of the City of Marietta (“Charter Petition”) approved on February 20, 2013 by the Georgia Department of Education.

### Article II Preamble and Purpose

Recognizing the need to increase student achievement through academic and organizational innovation by encouraging local school systems to utilize the flexibility of a performance based contract called a charter, and recognizing the need to improve communication and participation of parents and the community in the management and operation of local Schools, the Board of Education of the City of Marietta believes parent and community support is critical to the success of students and schools. The intent of these bylaws and guidelines is to bring communities and schools closer together in a spirit of cooperation to solve difficult education problems, improve academic achievement, provide support for teachers and administrators, and bring parents and community members into the school-based decision-making process.

The establishment of SGTs, pursuant to the Charter Petition, is intended to help the Board of Education of the City of Marietta develop and nurture participation, bring parents and the community together with teachers and school administrators to create a better understanding of and mutual respect for each other's concerns, and share ideas for school improvement. SGTs shall be reflective of the school community, and shall aspire to the School District’s mission (*to prepare each of our students through academic achievement for college, career and life success*) and vision (*to be the school system of choice*).

As is required by the Constitution of the State of Georgia, the management and control of public schools shall be the responsibility of the local board of education. The school leader shall be the principal whom is ultimately responsible for school operations and improving student achievement. Each member of the SGT, however, shall be accorded the respect and attention deserving of their position.

### **Article III Operational Date**

By August 15, 2013, an SGT shall be operational in each of the charter system schools in the Marietta City Schools District. The board of education shall provide a training program to assist schools in forming an SGT and to assist SGT members in the performance of their duties. Such program shall address:

- (1) the organization of SGTs;
- (2) their purpose and responsibilities;
- (3) applicable laws, rules, regulations and meeting procedures;
- (4) important state and local school system program requirements; and
- (5) shall provide a model SGT organization plan.

Additional training programs will be offered to SGT members annually.

### **MEMBERSHIP**

#### **Article IV Membership**

The SGT shall consist of a minimum of seven members, of whom a majority shall constitute a quorum. Membership on the SGT shall be determined as follows:

One (1) principal, who shall serve as non-voting member of the SGT; however, to ensure continuity the principal will remain co-chair of the SGT;

Two (2) parents/guardians of a student in the School who are elected by the parents/guardians of the school; the exception being a parent member from Marietta Sixth Grade Academy (MSGA) who by virtue of receiving the most votes in the parent election automatically qualifies as a parent member of the Marietta Middle School SGT in his/her second year of office.

One (1) community member appointed by the Principal and approved by the SGT who is a non-staff member and who lives, works, or has a substantial connection in the City of Marietta;

Two (2) full-time certified teachers who teach core academic subjects and work the entire day at the school elected by members of the certified staff assigned to the school for at least 4 of 6 segments of the day;

One (1) certified staff member at the school, appointed by the Principal and approved by the SGT.

The membership of the SGT can be expanded to as many as eleven (11) members, provided the ratio between parent/community members and certified staff members remains balanced. Additional membership beyond the minimum seven (7) person membership shall be by appointment by the Principal and approved by majority vote of the SGT. Secondary student representation can be appointed and approved by the SGT to serve on ad hoc committees as deemed appropriate.

The SGT shall elect from its membership the co-chair to serve with the principal.

- **Note A:** An employee of the local school system may serve as a parent representative on the SGT of a school in which his or her child is enrolled if such employee works at a different school.

- **Note B:** A parent of a child assigned to an alternative education program does qualify for election as a parent in the home school where their child would attend.
- **Note C:** School Board members are disqualified from serving on school SGTs but are allowed to vote as a parent from an electing body.
- **Note D:** There is no prohibition in the law for a qualifying person to serve on two or more school SGTs, where qualified.
- **Note E:** Teachers who have resigned but are currently employed are eligible to vote and be elected as a teacher representative. Upon the effective date of the resignation, the teacher is disqualified to vote or hold office on the SGT.

## **Article V Officers and Duties**

The officers of the SGT shall be two (2) co-chairs and a secretary. The Principal shall serve as one of the co-chairs. The other co-chair and Secretary of the SGT shall be elected by the SGT at the first meeting of the SGT following the election of SGT members. The officers of the SGT shall hold office concurrently with their term of membership on the SGT.

### **The Principal (Co-Chair)**

The school principal shall have the following duties pertaining to the SGT activities:

- (1) Cause to be created the SGT by convening the appropriate bodies to select SGT members; setting the initial agenda, meeting time, and location; and informally notifying all SGT members of the same (it shall be the duty of the Secretary, as stated below, to give official legal notice);
- (2) Perform all of the duties required by law and the bylaws of the SGT;
- (3) Communicate all SGT requests for information and assistance to the Superintendent (or designee) and inform the SGT of responses or actions of the Superintendent;
- (4) Develop the school improvement plan and proposed local budget and submits them to the SGT for its review, comments, recommendations, and approval;
- (5) Aid in the development of the agenda for each meeting of the SGT after taking into consideration suggestions of SGT members and the urgency of school matters. An item may be added to the agenda at the request of one SGT member provided the co-chair concurs, or if requested by three or more SGT members; and
- (6) Serve as the spokesperson of the SGT (or select a designee to serve as spokesperson).

### **The Co-Chair (Non-Principal)**

The SGT co-chairperson shall have the following duties pertaining to SGT activities:

- (1) In the absence of the Principal, shall preside at SGT meetings;
- (2) Shall be responsible for signing the required affidavit on each occasion the SGT elects to close a meeting and enter into executive session. A copy of the affidavit shall be made available for public viewing in the same manner as meeting minutes.

The Co-Chair shall, in the absence or disability of the Principal, perform the duties and exercise the powers of the chairperson and shall perform such other duties as shall be required by the SGT.

### **The Secretary**

The secretary shall attend all meetings, act as clerk of the SGT, and be responsible for recording all votes and minutes of all proceedings in the documents to be kept for that purpose. The secretary shall give official notice of all meetings (or cause another person to give notice of meetings) of the SGT, according to Article XIII. The Secretary shall perform such other duties as may be prescribed by the SGT.

### **Article VI Term of Office**

The term of office of all SGT members shall begin on August 15 and end on August 14. Members of the SGT shall serve for a term of two years; the exception being the term of office for parent members of the Marietta Sixth Grade Academy (MSGA) SGT. The procedures to determine the term of office for parent members of the MSGA SGT shall be determined in accordance with Note B below.

With the exception of the principal, SGT members may only serve two consecutive terms. After serving two consecutive terms a member must rotate off the SGT for at least one term before being nominated for re-election to the SGT.

- **Note A:** While terms of office are for two years, parents or guardians of any grade-level child enrolled in the school are eligible to vote and hold office, regardless of whether or not their child may graduate from the school in one year or less.
- **Note B:** The MSGA parent member receiving the most votes will serve a two-year term; first year on the MSGA SGT and second year on the MMS SGT. The parent receiving the second most votes will act as an alternate for the second year if for any reason the parent with the most votes is unable to serve.

### **Article VII Elections**

After providing public notice at least two (2) weeks before the meeting of each electing body, the principal of each school shall call a meeting of electing bodies during the month of August each year (or at such other time as is deemed practical) for the purpose of selecting members of the SGT.

The electing body for the parent members shall consist of all parents and guardians eligible to serve as a parent member of the SGT.

The electing body for the teacher members shall consist of all certificated personnel eligible to serve as a teacher member of the SGT or works at least 4 of 6 segments of the day at the school.

Election method/procedures: Nominations shall be accepted by the principal from members within the electing body prior to the actual voting meeting. Nominations from the floor shall be accepted at the meeting of the electing body. Teacher and parent election meetings shall use the plurality method of election. One vote shall be taken with the highest vote recipients being elected to serve on the SGT. Where individuals tie with the highest number of votes, as many shall serve on the SGT as there are positions open. If the number of vacancies on the SGT is fewer than the number of candidates tied for the opening, then subsequent votes are required until a winner can be determined. Teachers/Parents must be present and qualified to vote (proxies are not allowed). A person does not have to be present at the time of the vote to be elected to the SGT. Translators should be provided by the school principal at parent elections, if required by law.

- **Note A:** The law allows all qualified parents/guardians of a student enrolled in the school to vote. May more than one qualified parent/guardian of a child enrolled in the school vote during the election meeting? Yes.

Election Ballots: It shall be the responsibility of the Associate Superintendent (or other designee of the Superintendent) to provide voting ballots to each school principal to be used in the election of parent and teacher representatives to the SGT. Ballots shall be printed in English and native languages as required by law. All ballots cast shall be maintained on file at the school as an official record of the SGT for a period of two (2) years or until the term of office for which the election was held is ended; whichever is longer.

**Procedure A:** Each Teacher/Parent shall be issued one ballot after they have been identified by the school principal or designee as a member of the electing body.

### **Article VIII Vacancy**

The office of SGT member shall be automatically vacated if a) a member resigns, b) if the person holding the office is removed as a member by an action of the SGT, or c) if a member no longer meets the qualifications specified in the bylaws.

In the event of a vacancy on the SGT, an election, if required, will be held within 30 school days to fill the vacant seat or a replacement will be appointed (as is required according to the position vacated) within 30 days to fill the remainder of the term of office in accordance with the procedures set forth herein, unless there are 90 calendar days or less remaining in the term, in which case the vacancy shall remain unfilled.

- **Note A:** An SGT member may be removed from office for failure to attend meetings, participate in required training, violating the SGT Code of Ethics, or other good and sufficient cause. Removal for cause requires a two-thirds majority vote of the SGT. This provision is not applicable to the Principal.

### **Article IX Committees, Study Groups and Task Forces**

The SGT may appoint ad hoc committees, study groups, or task forces for such purposes as it deems helpful and may utilize existing or new school advisory groups.

### **Article X Compensation**

Members of the SGT shall not receive compensation to serve on the SGT or its committees.

## **MEETINGS**

### **Article XI Meeting Notice and Location**

All meetings of the SGT shall be held at the school in a location determined by the principal. The SGT shall meet once a month (except for the months of July and December), at the call of either of the co-chairs, or at the request of a majority of the members of the SGT. The co-chairs and Superintendent will meet twice annually to monitor/evaluate progress toward established district and school charter system goals and objectives.

Notice of a meeting shall be sent (via email, fax, or mail) to SGT members at least three (3) days prior to a meeting of the SGT. The Superintendent may waive this 3 day notice requirement. SGTs shall be subject to O.C.G.A. § 50-14-1 *et seq.*, relating to open and public meetings, in the same manner as local boards of education.

- **Note A:** SGTs may meet before, during, or after normal school hours.
- **Note B:** Individual members of the SGT have no authority to cancel a meeting. However, under the Open Meetings Act, SGTs may, by appropriate vote, and with a quorum present, vote to cancel a monthly meeting.

The SGT secretary shall be responsible for notifying, in writing, the Director of Communication and Superintendent (or designee) of any and all meetings of the SGT. It is the responsibility of the SGT secretary to maintain a written record of compliance with this notification requirement. Additionally, the SGT secretary shall provide advance notification, in writing or via email, to the school community of teachers and parents of any and all SGT meetings. See Article V, Officers and Duties.

- **Note A:** The SGT Secretary shall notify the Director of Communication of all dates, times and locations of meetings for the entire school year, August 15 through August 14, and said Director shall notify the local media. Additionally, SGTs shall notify the Director of Communication of all cancellations, date/time/location changes and called meetings to notify the local media.

## **Article XII Quorum and Voting Requirement**

Each member of the SGT is authorized to exercise one vote. Proxy votes are not allowed. Voting members must be present in person to participate or vote.

A quorum representing a majority of SGT members must be present in order to conduct official SGT business.

At all meetings of the SGT questions shall be determined by a majority vote of members present, representing a quorum, unless there is an express law or rule to the contrary.

## **Article XIII Minutes, Open Records**

The minutes of the SGT shall be recorded by the Secretary and shall include the names of the members present, a description of each motion or other proposal made, and a record of all votes. Each SGT member shall receive a copy of the minutes at least 5 days prior to the next scheduled meeting, at which the minutes shall be approved.

Minutes shall be made available to the public at the school office. A draft version of the minutes shall be available at the school office within two working days after the meeting in which they were recorded.

A copy of SGT meeting minutes and a copy of any affidavit executed shall be posted to the SGT page of the school's website within three working days.

SGTs shall be subject to Article 4 of Chapter 18 of Title 50, relating to the inspection of public records, in the same manner as local boards of education.



**Article XIV  
Parliamentary Authority**

Roberts Rules of Order, Newly Revised shall be the governing parliamentary authority for SGTs in all cases applicable but not inconsistent with these bylaws.

**RESPONSIBILITIES/GOVERNANCE**

**Article XV  
Responsibilities and Accountability**

- (A) The members of the SGT are accountable to the constituents they serve and shall:
- (1) Maintain a school-wide perspective on issues; and
  - (2) Regularly participate in SGT meetings; and
  - (3) Participate in information and training programs; and
  - (4) Act as a link between the SGT and the community; and
  - (5) Encourage the participation of parents and others within the school community; and
  - (6) Work to improve student achievement and performance.
- (B) SGT decision-making authority includes approval of 1) local field trips; 2) adoption of unified dress code according to BOE policy; 3) development and implementation of school-wide discipline plan based on BOE behavior code.
- (C) The SGT may provide approval, advice and recommendations in the following areas:
- Communication and Parent Involvement
- School-community communication strategies
  - Parent/community involvement plan; approves parent engagement guidelines
  - Extra-curricular activities
  - School-based and community services
  - School profile (academic performance, academic progress services, awards, interventions, environment, etc.)
  - Rewards and Recognitions
- Budgets
- Approves proposed school budget
  - Monitors budget allocations
  - Distributes incentive funds based upon Board-approved guidelines
  - School capital improvement
- Resource Allocation
- Proposes allocation of personnel and other resources within allocated budget to Superintendent
- School Improvement
- Participates in development and approves School Improvement Plan (SIP)

- Monitors implementation of the SIP
- Proposes research-based instructional innovations aligned to the SIP and student data to the Superintendent
- Monitors results of approved innovations
- School attendance

#### Personnel Decisions

- Recommends principal candidate in the case of a vacancy, except in the case of an administrative transfer by the Superintendent
- Works collaboratively with the Superintendent to develop up to 2 annual goals for principal performance
- Provides feedback on principal performance on these goals for the principals continuous improvement and Superintendent's consideration in preparing the principal's evaluation

#### Facility, Calendar and Policy Input

- By-laws
- Provides input on facility use by outside groups
- School Board policies under public review
- Provides input and recommendations on school system calendar

#### Evaluation and Review of College and Career Ready Performance Index (CCRPI)

- Governor's Office of Student Achievement (GOSA) report cards
- Balanced Score Card
- Program evaluation data presented to the Board mid-year and annually
- Annual SGT Survey

(D) The Principal's performance shall be appraised by the SGT as follows:

Appraisal of the principal's performance is the responsibility of the Superintendent and may only be delegated to certified personnel trained in the use of the Georgia Leadership Evaluation Instrument or other state approved instrument. However, Marietta City Schools recognizes that the SGT needs to have a mechanism for providing important feedback to the principal regarding his/her leadership style and practices. Such feedback is essential to meaningful communication between the team members and the principal and will evoke honest communication regarding performance and leadership practices.

To that end, the SGT will work collaboratively with the Superintendent or designee to develop up to two (2) annual goals to evaluate the principal's performance. The SGT shall provide feedback to the principal related to performance towards meeting the goals and to the Superintendent or designee for consideration in preparing the principal's evaluation. The principal's progress toward goal achievement will be shared with the SGT as well as the Superintendent, Board of Education, school staff, and members of the community.

(E) When a vacancy in the position of school principal exists:

- (1) The Superintendent shall determine if administrative transfers are appropriate and effect such transfer(s) – which may fill the principal position at one school while open another administrative position. If an administrative transfer is directed by the Superintendent, the SGT shall have no role in the principal selection process.

- (2) In cases where a principal position is not filled by an administrative transfer, the Superintendent, in executive session with the board of education, shall recommend and discuss such qualified applicant(s) with the Board. The superintendent-recommended list shall be considered by the Board in open session. If approved, the Superintendent shall forward a copy of the Board-approved list to the SGT. If disapproved, the Superintendent shall bring another recommended list to the next board meeting for consideration.
- (3) The Associate Superintendent (or other designee of the Superintendent) shall sit with the SGT, and, in executive session, the SGT shall receive the list of Superintendent Recommended/Board approved candidates for the position of principal and their resumes. Personnel discussions are restricted to executive/closed session by the SGT. Personnel files, employee evaluations, and other such documents shall not be provided to the SGT. The SGT may exercise the option of interviewing candidate(s) on the approved list. Interviews are not required.
- (4) Upon receipt of the Board-approved list of the qualified applicant(s) for the position of principal, the SGT is required to hold all personnel discussions in executive session. No vote may occur in executive session. The SGT must vote in open session to recommend a specific candidate for consideration by the superintendent.
- **Note A:** May a sitting principal vote on his/her successor? No. This poses a potential conflict of interest.
  - **Note B:** May an SGT add an applicant to the list? No.
  - **Note C:** May an SGT recommend more than one qualified applicant? No.
  - **Note D:** Does an SGT's recommendation supersede the Superintendent's authority to recommend employment under O.C.G.A. 20-2-211(a)? No. The SGT's recommendation is advisory in nature.
- (5) The SGT shall vote in open session to recommend one name from the approved list to the superintendent. This name must be forwarded in writing, using the form designated for submission of SGT recommendations, to the Office of the Superintendent immediately after the SGT votes on the recommendation.
- (6) The current or acting-principal (but not the assistant principal) may be present at the meeting if not a candidate being considered, but shall not be allowed to vote on the SGT's recommendation.
- (F) In order to prepare the SGT for its governance role, members will receive an initial orientation regarding their duties and responsibilities. Additionally, the SGT will receive training in governance, Board etiquette, applicable school law, rules and regulations, parliamentary procedure, the open-meetings and open records act, school level budgets, allocation of personnel, effective communication strategies, effective utilization of facilities, measurement and assessment, effective school improvement planning and effective resource allocation. To further build capacity within the SGT, training on root-cause analysis using structure analytical tools will be offered to SGTs. SGT members may also participate in a series of Effective Practice Seminars that will feature national experts in closing achievement gaps, technology integration, career readiness and college preparation for all students. Participation in training opportunities is an expectation of SGT membership and a part of the Code of Ethics for the SGT members. Goals of the training sessions include the identification of proper and effective roles and responsibilities of SGTs. The training will be designed in such a way as to help the SGT focus on school improvement and improved

student achievement. The SGT will be better prepared to evaluate the effectiveness of programs within the school and report the status of said programs to the BOE in accordance with the program evaluation schedule noting successes for continuation, ineffective or non-supportable programs, and recommended modifications.

- (G) The SGTs will maintain focus on the system-wide mission and vision of the school district.
- (H) Members shall sign the attached “Conflict of Interest” statement, as well as a copy of the Code of Ethics, to be kept on file by the School District.

#### **Article XVI SGT Guidelines**

The SGT may adopt additional guidelines as it deems appropriate to conduct the business of the SGT bylaws. The adoption of guidelines requires a two-thirds’ affirmative vote. The guidelines adopted by local SGTs shall not be inconsistent with language or intent of these bylaws or anything contained in the *Handbook for SGTs: Bylaws and Guidelines of the Marietta City Schools*, adopted May 21, 2013, and, thereafter, as revised.

#### **Article XVII Immunity**

To the extent allowed by law, the SGT shall have the same immunity as the local board of education in all matters directly related to the functions of the SGT.

#### **Article XVIII Role of the Board of Education**

The local board of education shall provide all information not specifically made confidential by law, including school site budget and expenditure information and site average class sizes by grade, to the SGT as requested or as required by state law or the Charter. The local board may also designate an employee of the school system to attend SGT meetings as requested by an SGT for the purpose of responding to questions the SGT may have concerning information provided to it by the local board or actions taken by the local board. The central administration shall be responsive to requests for information from an SGT.

The Associate Superintendent (or other designee of the Superintendent) is appointed by the Marietta Board of Education to attend SGT meetings as requested, respond to SGT questions and provide information as requested by said SGT.

The local board of education shall receive and consider all recommendations of the SGT, including the annual report, as follows:

- (1) Public notice shall be given to the community of the local board's intent to consider SGT reports or recommendations (said public notice to be made by including SGT actions on the Board agenda);

**Procedure A:** SGT items shall be listed on the board’s agenda and such agenda shall be made available to the Marietta Daily Journal and Atlanta Journal Constitution for public notice. Copy of notice shall be posted for public review at the School Board’s Administration Offices.

- (2) Written notice shall be given to the members of the SGT at least seven days prior to a local board meeting, along with a notice of intent to consider a SGT report or recommendation; and

**Procedure A:** The Associate Superintendent (or designee of the Superintendent) is responsible for notifying at least seven (7) working days in advance, in writing (e-mail is acceptable), the principal of each SGT that has matters pending before the board, that the board of education shall hold a meeting and at such meeting the board intends to consider a SGT's report, recommendation, appointment or any decision made by the SGT. Such notice shall contain the meeting date of the board of education and the matters to be considered and shall be kept on file for reference should a question arise concerning notification. It then becomes the responsibility of the principal to notify, in writing, each member of the SGT at least seven days prior to the board of education meeting concerning the notice received.

- (3) The members of the SGT shall be afforded an opportunity to present information in support of the SGT's report or recommendation;

The local board of education shall respond to recommendations of the school SGT within 60 calendar days after being notified in writing of the recommendation.

- **Note A:** Notification is perfected when the board of education officially receives written notification in a meeting (regular, called or work session) of the board of a school SGT's report, recommendation, appointment or other decision of a SGT. After initial receipt of a school SGT item, the Associate Superintendent (or designee of the Superintendent) is responsible for placing school SGT item(s) on a board agenda within the sixty (60) calendar day requirement.

**ADDITIONAL  
LOCAL SCHOOL GOVERNANCE TEAM  
GUIDELINES**

# SCHOOL GOVERNANCE TEAM

## CODE OF ETHICS

SGT members shall follow Georgia's Professional Standards Commission Code of Ethics for Educators, as modified, and shall acknowledge and sign a copy to be placed in the minutes of the SGT. A copy of the code of ethics, as modified, is provided below.

### THE CODE OF ETHICS FOR EDUCATORS & MARIETTA CITY SCHOOL GOVERNANCE TEAM MEMBERS

#### Introduction

The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Professional Standards Commission has adopted standards that represent the conduct generally accepted by the education profession. The code defines unethical conduct justifying disciplinary sanction and provides guidance for protecting the health, safety and general welfare of students and educators, and assuring the citizens of Georgia a degree of accountability within the education profession.

#### Definitions

**“Educator”** is a teacher, school or school system administrator, or other education personnel who hold a certificate issued by the Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, “educator” also refers to local School Governance Team members, paraprofessionals, aides, and substitute teachers.

**“Student”** is any individual enrolled in the state's public or private schools from preschool through grade 12 or any individual age 18 or under.

#### Standards

**Standard 1: Legal Compliance** - An educator shall abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude; of 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; or of 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; or any other laws applicable to the profession. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was otherwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

**Standard 2: Conduct with Students** - An educator shall always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:

1. committing any act of child abuse, including physical and verbal abuse;
2. committing any act of cruelty to children or any act of child endangerment;
3. committing any sexual act with a student or soliciting such from a student;
4. engaging in or permitting harassment of or misconduct toward a student that would violate a state or federal law;

5. soliciting, encouraging, or consummating an inappropriate written, verbal, electronic, or physical relationship with a student;
6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student; or
7. failing to prevent the use of alcohol or illegal or unauthorized drugs by students who are under the educator's supervision (including but not limited to at the educator's residence or any other private setting).

**Standard 3: Alcohol or Drugs** - An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. being on school premises or at a school-related activity while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. being on school premises or at a school-related activity involving students while under the influence of, possessing, or consuming alcohol. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc).

**Standard 4: Honesty** - An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to, falsifying, misrepresenting or omitting:

1. professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history;
2. information submitted to federal, state, local school districts and other governmental agencies;
3. information regarding the evaluation of students and/or personnel;
4. reasons for absences or leaves;
5. information submitted in the course of an official inquiry/investigation; and 6. information submitted in the course of professional practice.

**Standard 5: Public Funds and Property** - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. misusing public or school-related funds;
2. failing to account for funds collected from students or parents;
3. submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework);
4. co-mingling public or school-related funds with personal funds or checking accounts; and
5. using school property without the approval of the local board of education/governing board or authorized designee.

**Standard 6: Remunerative Conduct** - An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.

Unethical conduct includes but is not limited to:

1. soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board or authorized designee;
2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or authorized designee; and
4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or authorized designee. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.



**Standard 7: Confidential Information** - An educator shall comply with state and federal laws and state school board policies relating to the confidentiality of student and personnel records, standardized test material and other information. Unethical conduct includes but is not limited to:

1. sharing of confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results unless disclosure is required or permitted by law;
2. sharing of confidential information restricted by state or federal law;
3. violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.; and
4. violation of other confidentiality agreements required by state or local policy.

**Standard 8: Abandonment of Contract** - An educator shall fulfill all of the terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes but is not limited to:

1. abandoning the contract for professional services without prior release from the contract by the employer, and
2. willfully refusing to perform the services required by a contract.

**Standard 9: Required Reports** - An educator shall file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;
2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and
3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

**Standard 10: Professional Conduct** - An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the teaching profession. Unethical conduct includes but is not limited to any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position, or behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

**Standard 11: Testing** - An educator shall administer state-mandated assessments fairly and ethically. Unethical conduct includes but is not limited to:

1. committing any act that breaches Test Security; and
2. compromising the integrity of the assessment.

### **Reporting**

Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. Educators should be aware of legal requirements and local policies and procedures for reporting unethical conduct. Complaints filed with the Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, personnel director, superintendent, etc.).

**Disciplinary Action**

(a) The Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator’s conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the holder of a certificate:

1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
2. disciplinary action against a certificate in another state on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
3. order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6-28.1 and §19-11-9.3);
4. notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295);
5. suspension or revocation of any professional license or certificate;
6. violation of any other laws and rules applicable to the profession; and
7. any other good and sufficient cause that renders an educator unfit for employment as an educator.

(b) An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics. The superintendent and the superintendent’s designee for certification shall be responsible for assuring that an individual whose certificate has been revoked, denied, or suspended is not employed or serving in any capacity in their district. Both the superintendent and the superintendent’s designee must hold GaPSC certification.

Authority O.C.G.A. § 20-2-200; 20-2-981 through 20-2-984.5

“I acknowledge that I have carefully read and considered this document.”

Signature

\_\_\_\_\_

SGT Member

Date: \_\_\_\_\_