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PROFESSIONAL PRACTICES

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CHAPTER 67.1-03-01
CODE OF PROFESSIONAL CONDUCT FOR EDUCATORS

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67.1-03-01-01. Preamble.

The educator recognizes that education preserves and promotes the principles of democracy. The educator shares with all other citizens the responsibility for the development of educational policy. The educator acts on the belief that the quality of the services of the education profession directly influences the nation and its citizens. The educator promotes the worth and dignity of each human being and strives to help each student realize the student's potential as a worthy, effective member of society. The educator, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. The educator measures success by the progress each student makes toward the realization of the student's potential as an effective citizen. The educator regards the employment agreement as a solemn pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. The educator accepts the responsibility to practice the profession according to the highest ethical standards. The educator strives to raise professional standards to improve service and achieve conditions which attract highly qualified persons to the profession.

The following code of professional conduct of the education standards and practices board governs all members of the teaching profession. A violation of this section constitutes grounds for disciplinary action which includes the issuance of a warning or reprimand or both, suspension or revocation of the license of the affected educator, or other appropriate disciplinary action.

History: Effective July 1, 1995; amended effective August 1, 2002.
General Authority: NDCC 15.1-13-08, 15.1-13-09, 15.1-13-10
Law Implemented: NDCC 15.1-13-08, 15.1-13-10

67.1-03-01-02. Principle I - Commitment to the student.

In fulfilling obligations to students, the North Dakota educator:

1. Shall not, without just cause, deny the student access to varying points of view;

2. Shall not intentionally suppress or distort subject matter relevant to a student's academic program;

3. Shall protect the student from conditions detrimental to learning or to physiological or psychological well-being;

4. Shall not engage in physical abuse of a student or sexual conduct with a student and shall report to the education standards and practices board knowledge of such an act by an educator;

5. Shall not harass, discriminate against, or grant a discriminatory advantage to a student on the grounds of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation; shall make reasonable effort to assure that a student is protected from harassment or discrimination on these grounds; and may not engage in a course of conduct that would encourage a reasonable student to develop a prejudice on these grounds;

6. Shall not use professional relationships with a student for personal advantage or gain;

7. Shall disclose confidential information about individuals, in accordance with state and federal laws, only when a compelling professional purpose is served or when required by law; and

8. Shall accord just and equitable treatment to all students as they exercise their educational rights and responsibilities.

History: Effective July 1, 1995; amended effective August 1, 2002.
General Authority: NDCC 15.1-13-08, 15.1-13-09, 15.1-13-10
Law Implemented: NDCC 15.1-13-08, 15.1-13-10

67.1-03-01-03. Principle II - Commitment to the profession.

In fulfilling obligations to the profession, the North Dakota educator:

1. Shall accord just and equitable treatment of all members of the profession in the exercise of their professional rights and responsibilities;

2. Shall not, on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical condition, family, social or cultural background, or sexual orientation, deny to a colleague a professional benefit, advantage, or participation in any professional organization, nor discriminate in employment practice, assignment, or evaluation of personnel;

3. Shall not sexually harass a fellow employee;

4. Shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves a compelling professional purpose;

5. Shall present complete and accurate information on the application for licensure and employment;

6. Shall present complete and accurate information on any document in connection with professional responsibilities;

7. Shall present evaluations of and recommendations for colleagues fairly, accurately, and professionally;

8. Shall cooperate with the education standards and practices board in inquiries and hearings and shall not file false complaints or shall not seek reprisal against any individuals involved with the complaint;

9. Shall not knowingly distort, withhold, or misrepresent information regarding a position from an applicant or misrepresent an assignment or conditions of employment;

10. Shall not breach a professional employment contract;

11. Shall not knowingly assign professional duties for which a professional educator's license is required;

12. Shall not accept a gratuity, gift, or favor that might influence or appear to influence professional judgement, nor offer a gratuity, gift, or favor to obtain special advantage; and

13. Shall exhibit professional conduct in safeguarding and maintaining the confidentiality of test materials and information.

History: Effective July 1, 1995; amended effective August 1, 2002.
General Authority: NDCC 15.1-13-08, 15.1-13-09, 15.1-13-10
Law Implemented: NDCC 15.1-13-08, 15.1-13-10

67.1-03-01-04. Principle III - Commitment to the community.

In fulfilling these obligations to the public, the North Dakota educator:

1. Shall distinguish between personal views and the views of the employing educational agency;

2. Shall not distort or misrepresent the facts concerning educational matter; and

3. Shall not interfere in the exercise of political and citizenship rights and responsibilities of others.

History: Effective July 1, 1995; amended effective August 1, 2002.
General Authority: NDCC 15.1-13-08, 15.1-13-09, 15.1-13-10
Law Implemented: NDCC 15.1-13-08, 15.1-13-10