

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** November 20, 2007

**TO:** **BOARD OF EDUCATION**

**FROM:** Dr. Joe A. Hairston, Superintendent

**SUBJECT:** **NEW BOARD OF EDUCATION POLICY 4008 – PERSONNEL:**  
**OBLIGATIONS OF EMPLOYEES OF THE BOARD OF EDUCATION**  
**OF BALTIMORE COUNTY**

**ORIGINATOR:**

**RESOURCE**  
**PERSON(S):**

**RECOMMENDATION**

That the Board of Education considers Policy 4008. This is the third reading of this policy.

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Attachment I – Policy Analysis  
Attachment II – Policy 4008

**BOARD OF EDUCATION OF BALTIMORE COUNTY**  
**POLICY ANALYSIS**

Board of Education Policy 4008

Personnel: General

*Obligations of Employees of the Board of Education of Baltimore County*

Statement of issues or questions to be addressed by the proposed policy

In its work over the past year, the Policy Committee has noticed that a number of policies address employee misconduct and that others relate employee prohibitions to specific statutory, regulatory or policy requirements. However, no single policy clearly outlines an employee's responsibility to obey the law, or even to follow a supervisor's directives. While this connection may appear to be evident, the Committee desires that the standard be explicitly stated in policy. Thus, the proposed policy articulates an employee's responsibility to follow the law, regulations and Board policy in performance of his/her duties. Additional refinements were included following the September comment period.

Fiscal Impact on the school system

No fiscal impact is anticipated or contemplated by this revision.

Relationship to other Board of Education Policies

Various policies address prohibited conduct, including: Policy 4005, Dating or Sexual Relations Between Staff and Students; Policy 4006, Telecommunications Access to Electronic Information, Services and Networks; Ethics Code Policy, 8363, Conflict of Interest; Policy 4001, Drug Free Workplace; Policy 4004, Suspected Child Abuse, Neglect and/or Inappropriate Behavior Towards a Student by an Employee of the Baltimore County Public Schools, and Policy 4003, Sexual Harassment. Additionally, numerous policies and rules establish the Board's expectations for employee conduct and duties. (See, e.g., Policy 4002, Precepts, Beliefs and Values and Policy 1110, Communications with the Public)

Similar Policies adopted by other local school systems

CARROLL COUNTY BOARD OF EDUCATION, Policy BC, Ethics

MICHIGAN ASSOCIATION OF SCHOOL BOARDS, Policy GBEB, Staff Conduct

ASPEN SCHOOL DISTRICT (Colorado) Staff Conduct and Responsibilities, NEPN Code C-BEB

Legal Requirements, such as federal, state or local laws or regulations

The Education Article permits a local board to discipline or discharge certificated employees, while local superintendents may discharge and discipline non-certificated employees. Section 6-202 of the Education Article of the *Annotated Code of Maryland* provides in pertinent part, that "a county board may suspend or dismiss a teacher, principal, supervisor, assistant superintendent, or other professional assistant for

misconduct in office, including knowingly failing to report suspected child abuse in violation of §5-704 of the Family Law Article.” The Family Law Article, in turn, requires educators to “immediately notify and give all information required” concerning suspected child abuse and neglect. Note, however, that there is no legal requirement that each board of education adopt a policy similar to this proposal.

*A draft of the proposed policy*

See attached

*Other alternatives that were considered by the Board members*

The Board Committee considered including a prohibition or admonition in each Board policy, but determined that such a method might become unwieldy. Additionally, it was discussed that such a method might overlook certain future prohibitions.

*Timeline*

Opportunity for Citizen Comment, September 5, 2007

Proposed Date of Adoption, November 20, 2007

PERSONNEL: GENERAL

OBLIGATIONS OF EMPLOYEES OF THE BOARD OF EDUCATION OF  
BALTIMORE COUNTY

AS EVIDENCED IN ITS ETHICS CODE POLICIES AND IN THE [BLUEPRINT FOR PROGRESS](#), THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) BELIEVES THAT EVERY EMPLOYEE MUST MODEL ETHICAL BEHAVIOR AND EXHIBIT A STRONG WORK ETHIC.

AS MODELS OF ETHICAL BEHAVIOR, ALL EMPLOYEES MUST MAKE THEMSELVES FAMILIAR WITH, AND ABIDE BY, THE LAWS OF THE UNITED STATES, STATE OF MARYLAND, THE REGULATIONS OF THE STATE BOARD OF EDUCATION AND LOCAL CODES THAT AFFECT THEIR WORK, AS WELL AS THE POLICIES AND DECISIONS OF THE BOARD, AND THE APPLICABLE SUPERINTENDENT’S RULES.

ALL EMPLOYEES ARE EXPECTED TO COMPLY WITH THE LAWFUL DIRECTION OF THEIR SUPERVISORS IN THE PERFORMANCE OF THEIR DUTIES.

FAILURE TO ADHERE TO THIS POLICY SHALL BE CAUSE FOR DISCIPLINARY ACTION AND MAY BE CHARACTERIZED AS MISCONDUCT IN OFFICE, INSUBORDINATION, WILLFUL NEGLECT OF DUTY, INCOMPETENCY OR IMMORALITY.

Legal References: *Annotated Code of Maryland*, Education Article, §6-202  
*Annotated Code of Maryland*, Education Article, §4-205  
*Annotated Code of Maryland*, Family Law Article, §5-704

Related Policies: Board of Education Policy 1110, Communications with the Public  
Board of Education Policy 4001, Drug Free Workplace  
Board of Education Policy 4003, Sexual Harassment  
Board of Education Policy 4004, Suspected Child Abuse, Neglect or Inappropriate Behavior by an Employee of the Baltimore County Public Schools  
Board of Education Policy 4005, Dating or Sexual Relations Between Staff and Students  
Board of Education Policy 4006, Telecommunications Access to Electronic Information, Services and Networks

Policy  
ADOPTED:

Board of Education of Baltimore County