

3512.5200 CODE OF ETHICS FOR SCHOOL ADMINISTRATORS.

Subpart 1. **Scope.** This part applies to all persons licensed as school administrators as defined in part 3512.0100, subparts 5 to 7.

Subp. 2. **Standards of professional conduct.** The standards of professional conduct for school administrators are listed in items A to K.

A. A school administrator shall provide professional educational services in a nondiscriminatory manner.

B. A school administrator shall take reasonable action to protect students and staff from conditions harmful to health and safety.

C. A school administrator shall take reasonable action to provide an atmosphere conducive to learning.

D. A school administrator shall not misuse professional relationships with students, parents and caregivers, staff, or colleagues to private advantage.

E. A school administrator shall disclose confidential information about individuals only when a compelling professional purpose is served in accordance with state and federal laws, and school district policies.

F. A school administrator shall not knowingly falsify or misrepresent records or facts relating to the administrator's qualifications, or to the qualifications of other staff or personnel.

G. A school administrator shall not knowingly make false or malicious statements about students, students' families, staff, or colleagues.

H. A school administrator shall not accept gratuities, gifts, or favors that impair professional judgment, nor offer any favor, service, or item of value to obtain special advantage.

I. A school administrator shall only accept a contract for a position when licensed for the position or when a school district is granted a variance or letter of approval by the board.

J. A school administrator, in filling positions requiring licensure, shall employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school district has been granted a variance by the appropriate state board or agency, unless, after making reasonable efforts to obtain a variance, an appropriately licensed person cannot be assigned and the position must be filled to meet a legitimate emergency educational need.

K. A school administrator shall not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties.

Subp. 3. **Statutory enforcement of code, complaints, investigation, and hearing.** This part shall be enforced in accordance with Minnesota Statutes, section 214.10, subdivisions 1, 2, and 3.

Subp. 4. **Complaints handled by board.** When oral complaints alleging violations of the code of ethics for school administrators are received, the board shall request the complaining party to submit a written complaint. Upon receipt of a written complaint, the administrator named in the complaint shall be notified in writing of the complaint. The administrator shall be entitled to be represented by the administrator's own counsel or representative at each stage of the investigation and hearing.

Subp. 5. **Enforcement procedures.** The board may impose one or more of the following penalties when it has found a violation of a standard under subpart 2. These actions shall be taken only after previous efforts at remediation have been exhausted.

A. The board may enter into agreements with administrators accused of violating the code of ethics that would suspend or terminate proceedings against the administrator on conditions agreeable to both parties.

B. A letter of censure from the board may be sent to the person determined to be in violation of the standards of the code of ethics. The letter shall be kept on file for a period of time not to exceed one calendar year.

C. An administrator who has been found to have violated the code of ethics may be placed on probationary licensure status for a period of time to be determined by the board. The board may impose conditions on the administrator during the probationary period which are to be directed toward improving the administrator's performance in the area of the violation. During this period, the administrator's performance or conduct shall be subject to review by the board. The review shall be directed toward monitoring the administrator's activities or performance with regard to whatever conditions may be placed on the administrator during the probationary period. Before the end of the probationary period, the board shall decide to extend or terminate the probationary licensure status or to take further disciplinary actions as consistent with this rule.

D. The license to practice of the person determined to be in violation of the standards of the code of ethics may be suspended for a period of time determined by the board.

E. The license to practice of the person determined to be in violation of the standards of the code of ethics may be revoked by the board.

Statutory Authority: *MS s 125.05; L 2006 c 263 art 2 s 20*

History: *23 SR 1928; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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