



Special Education Advisory Committee

Policy 7560: Professional Conduct

Abridged Report¹ and Recommendations

October 11, 2020

Prepared For:
SEAC Membership
Special Education Community
Loudoun County School Board

For more information and supporting documents, please see SEAC's issue page:
http://loudounseac.org/wiki/Professional_Conduct

¹This document is a brief report of the current SEAC recommendations on this policy. It does not, and is not intended to, fully capture the history and background of the issue. A full report is available upon request.

Summary of Recommendations

Recommendation 1: Add language to (A)(1) to include parents and guardians in the list of people that staff are prohibited from bullying.

Rationale:

The current draft policy prohibits staff from bullying staff or students.

SEAC has received many reports of staff bullying Special Education parents and guardians.

Parents and guardians are a concerning omission.

For parents/guardians of students with disabilities, existing laws prohibiting discrimination, retaliation, and harassment should already prohibit bullying behavior by staff, but this should be made explicit.

For other parents/guardians, this still should not be acceptable professional conduct. It is detrimental to the communication and collaboration that drives educational success.

**Recommendation 2: Add a new item to the list of unacceptable professional conduct (A):
9. Falsification of school records, documents, statistics, or reports**

Rationale:

Falsifying records or documents goes beyond dishonesty and lack of professional integrity and is often part of a fraud and/or cover-up.

SEAC has received reports of staff falsifying records and documents in order to defraud parents and other staff, and/or to cover up wrongdoing from being discovered and/or proven by parents, regulators, and/or the school board.

SEAC is concerned that the list of unacceptable professional conduct needs to address professional integrity such as dishonesty, fraud, and falsification.

This is already grounds for license revocation for staff who are licensed by the VDOE and is directly quoted from the Virginia education regulations (8VAC20-23-720(A)(2)). This should relieve the school board from having to develop its own legal language and the controversy that might come from that. For most LCPS staff, this is a reminder of their existing obligation.

1. Abridged Issue Background and History

Policy 7560, Professional Conduct, addresses unacceptable and sanctionable staff professional conduct. In order to comply with legal precedent, it is focused on professional conduct that would interfere with the operation of schools.

This draft was reviewed by the school board's Human Resources and Talent Development (HRTD) committee. According to discussion at a full school board meeting, the Loudoun Education Association also reviewed the current draft. However, several public commenters at the school board meeting expressed concerns at this policy and local newspaper articles also claimed that this policy was controversial.

The SEAC Policy Subcommittee's consideration of this policy was tempered by our understanding that this policy is an area of some controversy. There are many areas in which the subcommittee would have preferred for more or stronger language in order to address our community concerns. It was ultimately concluded to focus on language that would address some of our community concerns while being easy for the school board to adopt, rather than make recommendations that would better address our concerns but could exacerbate the controversy.

2. Concerns

Concern 1: SEAC has received many reports of staff bullying Special Education parents and guardians.

Educational success is most likely to result when there is a good working relationship between students, parents/guardians, and school staff. Although LCPS staff publicly state their support for communication and collaboration, there is a disconnect between these statements and what many Special Education families experience. There are many reports of rude, disrespectful, dishonest, and even malicious conduct towards Special Education parents and guardians. Parents and guardians who advocate for their children's rights to not be discriminated against and to receive an education often report behaviors that appear as being specifically targeted, retaliated against, and harassed by school staff.

Even in the face of spirited disagreements, this is not professional conduct. In an educational setting, this is not conducive to educational attainment, and this is specifically counter to the collaborative design of the IDEA and to the publicly claimed goals of the LCPS staff and the school board.

Concern 2: SEAC has received reports of staff falsifying records and documents in order to defraud parents and other staff, and/or to cover up wrongdoing from being discovered and/or proven by parents, regulators, and/or the school board.

These are all serious breaches of professional integrity, threaten the operation of schools, and undermine our system of accountability and governance.

They are already recognized as such in the Virginia Administrative Code as existing grounds for revocation of VDOE professional licenses.