NDU

RESOLUTIONS

North Dakota United
Adopted by the Delegate Assembly
2018
RESOLUTIONS INDEX

A. Commitment to Membership.........................................................Page 1
B. Commitment to Education and Public Services..............................Page 1
C. Commitment to Educational Opportunities.....................................Page 3
D. Commitment to Health and Welfare.............................................Page 4
E. Commitment to Professional Excellence........................................Page 4
F. Commitment to Professional Public Service Recruitment..............Page 5
G. Commitment to the Rights and Protection of Employees and their Advancements.................................................................Page 6
H. Commitment to the Professional Autonomy .................................Page 8
I.  Commitment for Effective Citizenship.........................................Page 8
J.  Commitment to the Protection of Human and Civil Rights..........Page 9

APPENDICES

National Education Association Bill of Teacher Rights.......................... A1
National Education Association Code of Ethics of the Education Profession ................................................. A4
North Dakota Educators’ Code of Ethics................................................ A6
School Library Bill of Rights .................................................................. A8
Access to Resources & Services in the School Library Media Program......................... A9
NORTH DAKOTA UNITED
RESOLUTIONS
April 2018

Preface

North Dakota United advocates for resolutions that support or enhance ALL employees’ rights. Resolutions state matters of importance and serves as policy direction for its officers, councils, staff, and members. This Association was created and is sustained by its members to advance the excellence of all public services.

A. COMMITMENT TO MEMBERSHIP
North Dakota United believes and reaffirms

- every member has the right and obligation to participate fully in the Association. NDU believes that Public Employees have a right to establish unions and influence labor movements. The opportunity to participate in the Association must be afforded every member without fear of intimidation or retribution;
- policies should provide release time without loss of pay to individuals fulfilling leadership responsibilities, attending meetings, or participating in other Association activities;
- membership is unified at the local, state, and national levels. Local associations are to enforce all membership levels and are prohibited from allowing limited membership; and
- all members should be involved in political action, legislative lobbying, public relations, member training, crisis assistance, development and maintenance of educational excellence, welfare and safety of the public, and retirement issues.

B. COMMITMENT TO EDUCATION AND PUBLIC SERVICES
North Dakota United believes

- excellence in public education and public sector services are critical for a strong participatory democracy;
- the teaching profession is a cornerstone of society, and the goal of the profession must be to provide the highest quality of education to all. To achieve this goal, the profession must be composed of individuals who meet the highest standards. These standards must be established, maintained, and governed by the members of the profession and must apply to recruitment, teacher preparation, induction, professional development, evaluation, practice, and accountability. Members of the teaching profession must assume expanded leadership roles and must have the time, resources, and decision-making authority to provide the highest quality of learning;
- the North Dakota Educators’ Code of Ethics (Century Code 67.1-03-01) and the North Dakota Educators’ Code of Conduct (See Appendix) (Century Code: 15.1-13.08 and Higher Ed. Section 308.1) define the knowledge, skills, and dispositions a quality teacher should possess;
- professional organizations and businesses in the private sector should be concerned about the quality of life in our cities and rural communities and should advocate for community development vitally affecting patterns of growth and subsequently the quality of education in our schools and public services;
- the educational and public sector employees in our communities have a right to collective bargaining; defined benefits pensions; funding of non-public schools should be at the expense of the non-public school entity and that no voucher, tax credit, or funding plan, which subsidizes non-public schools should be implemented; and a safe work environment free from polluted airborne particles, water contaminates/agents, and other environmental and chemical hazards (Occupational Safety and Health Administration (OSHA) guidelines should insure health and safety standards). Safe and appropriate accommodations must be made until the problem is identified and eradicated;
- employees have responsibilities to grieve and initiate investigation of unsafe workplace issues such as facilities, securities, and hostile work environments;
- a strong commitment to compulsory attendance laws and graduation rate through local, state, and federal initiatives;
- the relationship of strong public schools should be based on parents, guardians, and the broader community;
privatization of state services should not supersede public services at a reduced fiscal expenditure (Core services traditionally provided by the state should remain with the state.);
the usage of vouchers to replace public education and services must be opposed;
the need for quality service both in the educational and public service sectors demands that criteria for gubernatorial appointments in any field shall include a commitment to that field and significant contributions to that field. Employees from within that field shall be included in such appointments;
the need for continued investigation and implementation of shared decision-making in all North Dakota work environments; and
all designated Professional Recognition Days shall be observed and positive attention should be focused on the contribution of all public employees.

North Dakota United believes that Locally
- school boards must provide a quality education within a school district for each student. School boards should provide resources and support so that each school meets standards for educational excellence and promotes a public understanding of the importance of public education.;
- all school staff should be equal and active partners in the development of a school improvement process plan that includes all stakeholders;
- the share of finance must be derived from a tax system that is balanced and complementary in nature and should not be heavily reliant on property taxes; and
- all public meetings must be held at times and places that allow employees, local affiliates, and the community to participate.

North Dakota United believes that our State
- must actively engaged in public schools and the future of education;
- must fund our public schools at a minimum level of 80% and special appropriations should be available to aid school districts with impacted financial problems. Revenues from trust lands shall be used to supplement, not supplant, revenue from general education budgets;
- share of finance must be derived from a tax system that is balanced and complementary in nature and should not be heavily reliant on property taxes;
- legislature must continuously improve an equitable foundation aid program;
- recognizes the inherent responsibility of elected state legislators in the enactment of laws; and
- must recognize the rights of citizens to initiate legislation and/or to refer decisions made by legislators. NDU urges more stringent standards for the referral of encase legislation.

North Dakota United believes that the Federal responsibilities include:
- funding to maintain public education and public services for all individuals impacted by federal policies, lands, activities, and installations;
- upholding and enforcing civil rights, providing adequate funding levels and reimbursement in order for public education and public services to comply with federal mandates and initiatives. Public service employees must be included in the development of federal programs affecting education. The Association is strongly opposed to any further reduction in federal support for education and public services;
- the United States Department of Education must be a viable force for the maintenance and improvement of public education in the United States; and
- opposing any attempt by Congress to privatize public schools
C. COMMITMENT TO EDUCATIONAL OPPORTUNITIES

North Dakota United believes:

- education is a lifelong learning process embracing all age groups;
- the public school system must provide educational excellence that enables all students the opportunity to achieve academic success and develop moral, ethical, spiritual, and cultural values;
- that school curricula must be dynamic, not static, to enable individual schools to achieve educational excellence and respond to the needs of their students and their community;
- access to and opportunities for postsecondary education should be widely available;
- wide community and parental participation is essential in achieving and maintaining educational excellence;
- home school programs cannot provide the child with a comprehensive educational experience. If parental preference home school study occurs, then instruction must be provided by persons licensed by the Education Standards and Practices Board, use a curriculum approved by the State Department of Public Instruction (ND DPI), and such home school study programs shall be limited to the children of the immediate family with all expenses being borne by the parent. Furthermore, local public school systems have the authority to determine grade placement and/or credits earned toward graduation for students entering or re-entering the public school setting;
- homebound students must receive instruction that follows the regular curriculum. The instruction must be implemented, documented, monitored, and assessed by a licensed teacher;
- standardized tests and/or assessments should be used only to improve the quality of education and instruction for students;
- early childhood programs are a viable asset to our public schools for children from birth through age five;
- students/clients must have access to instruction in technology and digital media as well as the responsible use of technology. Technology and digital media in the educational learning process enhances learning opportunities for students, the quality of instruction, and the effectiveness of employees;
- guidelines for the use of digital media and technology for communications related to activities must be collaboratively developed by employees and employers. Such guidelines must promote respect for privacy, intellectual integrity, and a positive learning environment. Communication between employees and parents/students/clients must be limited to sanctioned means of communication;
- student/clients must become effective communicators in school and in life through all forms of expressions;
- excellence in the classroom can best be attained by small class size. Class size may be adjusted to particular learning environments that allow individual attention for inclusive students. Weighted class size formulas must be based on the inclusion of exceptional students, subject area content, and physical facilities;
- funding must be equitably distributed between athletic and nonathletic extracurricular events;
- quality digital learning can create or extend learning opportunities not otherwise available to students. Public high schools must employ multiple graduation and promotion options and create partnerships with college, alternative schools, and career and technical programs;
- students must have access to higher education and post-secondary programs, as an essential part of the educational process;
- retraining and appropriate job creation legislation will alleviate the effects of unemployment;
- both the governmental and private sectors must provide research and study grants to higher education faculties in all academic areas; and
- districts must develop an effective and timely process for the transfer of student records. The confidential information must include the history of disciplinary incidents, violence-related behavior, and mental health/substance abuse issues, cognizant of both state and federal laws.
D. COMMITMENT TO HEALTH AND WELFARE

North Dakota United believes

- there is a positive correlation between strong public schools and public services and a robust economy, which attract people to live and work in our communities;
- individuals must work together to maintain a safe and orderly work environment. Employees shall be provided with appropriate training on how to maintain a safe working environment, i.e., an emergency plan. Employers must utilize programs that promote positive self-image and success. Communities must develop policies and practices that promote safe work environments;
- school and community efforts must be integrated to promote the well-being of all individuals and build support for school and community health programs;
- guidance and counseling services are an integral part of the well-being of all individuals in the state of North Dakota. A program of guidance and counseling services are an integral public service sector and pre-K through higher education to help meet the social, emotional, and educational needs of all individuals. The School Counselors’ Association recommends a counselor/student ratio as 1:250;
- when facilities are in crisis involving staff shortages, building conditions, and/or financial constraints, appropriate funding to ensure a safe, healthy, and effective environment for all students/clients and employees. NDU urges collaboration of community, employer, and employee groups to help resolve these issues;
- homelessness creates challenges for individuals while interfering with the ability to access education and progress academically. Society has the responsibility to mitigate the consequences of homelessness by assisting individuals to develop necessary life and job skills, in order to function successfully in diverse settings;
- individuals serving in the military should be afforded adequate services to ensure that their dependent children are cared for; and an uninterrupted education is provided in the event of mobilization of the parent(s)/guardian(s);
- substance use disorder/recovery issues require concerted effort by all sectors of the community and that qualify public employees must play a key role in statewide efforts to educate people about the dangers of substance use;
- Stress and anger management programs must address the needs of individuals within both school and community settings. Suicide awareness programs should be an integral part of community programs including prevention, intervention, treatment, and ongoing community supports. Communities must work collaboratively with local, state, and national agencies to ensure these individuals receive comprehensive interventions and services that support their physical and psychological well-being; interventions and services must be made available to all individuals; and
- individuals placed in licensed treatment facilities must be provided a healthy environment conducive to positive social change. Individuals, while in treatment, must be provided with education programs and support services that will enable them to become contributing members of society. Those who pose a threat to the health and safety of others or themselves, who are not placed in these centers, must be provided educational services in an appropriate alternative setting rather than the regular public school setting.

E. COMMITMENT TO PROFESSIONAL EXCELLENCE

North Dakota United supports and believes

- individuals shall abide by the following documents relative to their profession: the National Education Association Code of Ethics of the Education Profession, the National Education Association Bill of Teacher Rights, and the North Dakota Educators’ Code of Ethics, and Ethics documents relating to the various disciplines of ND Public Employees; (See Appendix.)
- in the principles of the School Library Bill of Rights and Access to Resources and Services in the School Library Media Programs. (See Appendices.) A comprehensive library media program, including print and non-print resource materials, will be provided by a credentialed library media specialist; North Dakota United supports confidentiality of individual school library media center checkout records to protect the individual privacy of professionals and students;
- within the work day, every licensed educational professional will be provided a minimum of one hour for use in preparation. Every employee needs a reasonable, carefully defined work load; a duty-free lunch period; access to modern technology and equipment; unencumbered time to evaluate progress; and time for professional and collegial reflection;
• a teacher’s primary responsibility is student instruction. Teacher leadership is essential to serving the needs of students, schools, and the teaching profession;
• continuous professional development will be provided by employers within the educational and public sector environments enabling all employees to grow professionally and personally. Employees will have input into what is relevant for their own professional development;
• state/regional resource centers provide opportunities for employees to share resources, experiences, and ideas for professional growth and such centers be established, funded, and accessible to all employees. Members will comprise a majority of the resource center policy board;
• a sabbatical leave program for continuing education and teacher exchange programs shall be incorporated into leave policies;
• evaluations/reviews will be conducted to improve the performance of employees thus improving the quality of services. These evaluations/reviews should be based upon written criteria and procedures that are mutually developed and accepted by local associations and boards;
• research and publication will not be the only criteria on which higher education faculty are evaluated and/or promoted; the evaluation process must include input from a broad spectrum of the college/university community, a balanced perspective, and evaluation effectiveness of employee competence; and in order to maintain high standards throughout public service, administrators will undergo individual, periodic, and regular evaluation;
• employee induction and mentoring programs are an integral part of an ongoing systematic approach in providing quality services; mentoring facilitates the transition of new employees into their profession, promotes the retention of successful employees, and provides a system of support for veteran employees experiencing a change in grade level, type of assignments, job site, or cultural environment. NDU encourages its affiliates to be involved in the employee induction and mentoring programs and the design and implementation of the process; and
• all prospective employees will demonstrate evidence of competency in the use of digital media and other technology: Employees must have access to effective professional development in the use, integration, and application of digital media and other technology to enhance their work environment.

F. COMMITMENT TO PROFESSIONAL PUBLIC SERVICE RECRUITMENT

North Dakota United believes

• requirements for admission into preparatory programs must be based upon standards established and maintained by the profession. Requirements must be rigorous yet flexible enough to allow admittance to those who demonstrate potential for effective practice; the requirements and the selection process must be nondiscriminatory. Admission to preparatory programs should be based on multiple considerations such as: standardized achievement test scores, grade-point average, faculty recommendations, personal interviews, portfolio reviews, and personal recommendations. Appropriate state agencies must project needs and provide fiscal resources so institutions can respond accordingly;
• colleges, universities, and all professional disciplines must apply high standards for screening candidates for their profession and work in planning ways for students to have greater involvement in their career path;
• strong recruitment programs are necessary to maintain and enhance all professions. Federally financed loan and grant programs should be established to encourage individuals to become professionals. Progressive forgiveness of the loan should be based upon the number of years of professional service. Grants should be secured from both public and private sources to assist individuals planning to pursue a career in public service;
• hiring practices will ensure that all positions be filled with highly qualified professionals. Individuals under consideration for any position must meet North Dakota state approved standards and be licensed in their field of assignment. Employees must have an active role in the hiring process, including the development of selection criteria, job descriptions, interview instruments, and will participate in the interview process;
• experienced professionals are valuable resources in the promotion of excellence. They should be encouraged to remain or return to their profession by offering incentives, such as: enhanced salaries, benefits, a supportive and respectful work environment, a reasonable work load, a secure pension, and retirement packages that reward extended years of service;
• all employees are essential to the public services environment. Affiliates will support the development of programs and resources to assist those paraprofessionals who wish to obtain a college degree, and fulfill the requirements necessary to become licensed professionals. Licensed colleagues will act as a support system for such programs;
• local affiliates must oppose the utilization of paraprofessionals, non-licensed personnel, and ancillary personnel as a means to replace licensed professionals. NDU condemns the practice of assigning paraprofessionals who hold professional licenses without changing their salaries commensurate with the new assignments. All employees must have the knowledge and skills necessary to perform their duties; and
• substitute teachers must meet the same standards as other licensed teachers within the state.

G. COMMITMENT TO THE RIGHTS AND PROTECTION OF EMPLOYEES AND THEIR ADVANCEMENTS
North Dakota United believes
• The development of well-designed career paths can promote and nurture effective employees. Career paths for all employees will:
  o be developed through collective bargaining or in non-bargaining jurisdictions be developed collaboratively by NDU members and local boards;
  o be adequately funded and sustainable;
  o be voluntary;
  o be fair and equitable with transparent criteria based on professional standards;
  o include compensation that recognizes additional responsibilities, knowledge, and/or skills;
  o include ongoing professional development;
  o allow employees to move between paths without penalty; and
  o contain a comprehensive evaluation system that includes an appeal procedure;
• fair dismissal legislation and employer policies must provide complete due process of law for all employees;
• district consolidation/deconsolidation must employ a democratic process that meaningfully involves all stakeholders in all decision making. If districts undergo consolidation /deconsolidation all employees in the new district(s) will be treated equitably with no reduction in the salary, benefits, protections, bargaining rights, or due process rights; employees of these districts should remain members of bargaining units in local, state, and national affiliates;
• in adopting employment policies that credit employees with all previous years of experience and placing said employees on the appropriate salary schedule step. NDU especially urges the elimination of recruitment and hiring policies that discriminate against experienced employees solely and further charges members to resist the tendency to bargain away years of prior experience;
• the concept of seniority and/or tenure in public service employment is essential;
• personnel policies must be written collaboratively by local and state associations; NDU further insists on an annual review for improvement of personnel policies. Improvements will be made through the negotiations/appeals process;
• personnel policies and practices must guarantee that no person be employed, retained, paid, dismissed, or demoted based on factors including, but not limited to, ethnic origin, religious beliefs, residence, political activities, professional association activities, age, marital status, family relationships, gender, sexual orientation, or gender identification;
• employees will be protected from all liability if they are required to dispense/administer medication or perform medical services. Employees have the right to refuse to dispense/ administer medication or perform medical services without the fear of repercussions. Any invasive medical procedures performed will be conducted by trained medical personnel only;
• employees shall be allowed to attend their child’s(re’s) conferences or other meetings such as IEPs, 504s, etc. within scheduled times and without loss of pay;
• employees on leave of absence must continue receiving benefits such as group insurance and pension plan;
• all affiliates will negotiate criteria for reduction in force and the reemployment of affected employees. Consideration should include, but not be limited to seniority, non-discrimination, experience level, certification when required, and reemployment procedures. NDU believes all employees will have the same consideration;
all employers must minimize the number of reductions in force;
all negotiation laws require strengthening to provide for collective bargaining and final offer arbitration to resolve impasse, when following protocol;
manipulation of the bargaining process by some employers is condemned. NDU urges its local affiliates to resist the erosion of employee contracts;
in asserting the right of professional associations or individuals to appeal the application or interpretation of administrative policies or the terms of employment. Officially adopted professional grievance procedures in each local will include final offer arbitration;
the right of employees to collectively withhold their services is necessary to establish and maintain an appropriate level of salary and employment conditions appropriate for North Dakota’s employees;
there is a need for legislation to discourage school boards from issuing teacher contracts or letters of intent before the completion of negotiations. NDU further supports and urges legislation to prevent master agreements from being modified by unilateral action by school boards;
employees can be accountable only to the degree that they share responsibility in decision-making and to the degree that other parties who share this responsibility (legislators, other government officials, school boards, employers, parents, student, taxpayers) are held accountable;
competency testing must not be used as a condition for ongoing employment, license retention, evaluation, placement, or ranking;
salaries for all employees must compare favorably with income in other professions and occupations of comparable preparation and responsibilities. NDU encourages employees to use these recommendations as a guideline for determining salary schedules and fringe benefits;
health insurance is a fundamental part of North Dakota employee compensation packages. NDU urges continued efforts to maintain and improve group health insurance for all employees;
all employees are of equal importance. NDU urges and supports the enactment of legislation requiring all employees be placed on the appropriate step on applicable salary schedules. Placement shall be according to the employees education/training;
all employees must be afforded fair salary placement commensurate with their education, training, and work experience. NDU also believes all employees have the right to collective bargaining;
salary and other compensation structures for employees are matters for collective bargaining. NDU also believes that any proposed or legislated salary and other compensation structure will not bypass or undermine the bargaining process or negotiated agreements;
all North Dakota employees must have a sick leave policy as part of their employment;
higher education faculty salaries will be determined by their abilities, qualifications, and responsibilities without regard to the type of institution in which they teach. In order to move in this direction, we urge the State Board of Higher Education to develop a statewide salary schedule in collaboration with the faculty associations;
an actuarially sound retirement program is vital for the security and welfare of all employees. NDU urges continued efforts to improve retirement programs;
all work environments must establish formal grievance procedures and these procedures must be exhausted before contemplated non-renewals are issued;
in resisting all attempts to establish reduction in force policies that would allow administrators/employers to preempt current employee positions;
licensed professionals (and/or paraprofessionals) will not be displaced through the development and use of technology and digital media, or the lowering of standards to meet shortages;
every employee has the right and responsibility to participate fully in professional associations. The opportunity to participate in NDU must be afforded to every member without fear, intimidation, or retribution. NDU also believes that policies will provide release time without loss of pay to employees fulfilling leadership responsibilities in professional organizations or attending professional meetings. Release time will be equitably provided, without harassment and without preference; and
employee-produced materials including, but not limited to, lesson materials, audio-visual materials, music compositions, computer materials are the property of the employee.
H. COMMITMENT TO PROFESSIONAL AUTONOMY

North Dakota United believes

- educators have the expertise and right to evaluate, license, certify, and accredit candidates for the teaching profession. Qualified public employees must also have the right to evaluate, certify, and accredit candidates for licensure. NDU opposes lowering standards to meet shortages;
- local affiliates advise and help teachers/public employees meet professional expectations;
- local affiliates and members will be involved in education preparation and accreditation at the national, state, and local levels. Licensed professionals with specific experience will participate at the highest level in the design, implementation, and improvement of education programs;
- professional preparatory programs must follow the highest level of accreditation standards;
- multiple evaluative measures must be used to determine professional readiness, with evidence and feedback from program faculty and cooperating licensed professionals;
- clinical practice is essential to provide prospective employees with the experiences necessary to enter their profession; clinical practice and preparatory programs will include a supervised internship, formal support, instruction, and guidance by faculty members and licensed professionals;
- academic and professional freedom is essential in all professions. Academic freedom is the right to explore, present, and discuss divergent points of view in the quest for knowledge and truth. Professional freedom includes the employee’s right to evaluate, criticize, and advocate individual personal point-of-view concerning the policies and programs of the work place. Employers have the obligation to assist colleagues when their academic or professional freedom is violated. Controversial issues may be a part of instructional programs when judgment of the professional staff deems the issues appropriate to the curriculum and to the maturity level of the student;
- teachers will have the primary role in the selection and development of instructional materials for educating students. Instructional materials and equipment must be provided in sufficient variety and quantity to serve all students. The selection of instructional materials will be without censorship and challenges of the choice of instructional materials must be orderly and objective, under procedures mutually adopted by the professional association and the school board; and
- ongoing comprehensive evaluation of student progress is important. Student learning must be assessed using multiple measures directly linked to the lessons and materials used by staff members.

I. COMMITMENT FOR EFFECTIVE CITIZENSHIP

North Dakota United believes

- members should become involved in citizen and community-based organizations in order to address issues of common concern within their local, state, and national associations;
- learning through voluntary community service will be encouraged as an integral part of a student’s education. Participation by students in community service, service learning program, and peer mentoring may be available for elective credit. School districts shall work with community groups to provide students/clients with the opportunity to participate in such programs;
- the needs of all individuals necessitate the development of programs which preserve the rich heritage of their traditional culture;
- the survival of a democracy depends upon an informed electorate and urges strict enforcement of open meeting laws; and
- every employee has the right and responsibility to be an informed, politically active citizen, without repercussions.
J. COMMITMENT TO THE PROTECTION OF HUMAN AND CIVIL RIGHTS

North Dakota United believes:

- no individuals within the school and work environments will be subjected to bullying, harassment, intimidation, or discriminatory practices to include, but not limited to, employment, promotion, retention, salary, dismissal, suspension, demotion, transfer, or retirement;
- in the elimination of discriminatory and stereotyping policies that are incompatible with quality and equitable public services based upon, but not limited to, race, gender, immigration status, disability, ethnicity, occupation, sexual orientation, and/or gender identification;
- all individuals must be protected from abuse. All employees are in a position to observe, recognize, and report suspected abuse;
- the use of harassment or age discrimination to encourage employees to resign or accept early retirement is not acceptable;
- all employee medical, personnel files, and legal records are privileged and must remain confidential. There must be only one personnel file and access to files must be maintained by the employer. Employees have the right to obtain, view, and inspect such records. Written notification must be given within ten working days of any placement of materials in the employee’s personnel file. Employees must be given an opportunity to respond to and challenge any materials and purge those that are inaccurate, misleading, and/or distorted. The rights of employees must include a provision to consent or deny release of such records including, but not limited to, the right to receive copies of released material(s);
- an employer has the obligation to inform employees of these aforementioned rights and to enforce rules adopted to protect these rights;
- employees must be guaranteed the right of privacy including, but not limited to:
  - freedom from undisclosed audio or video surveillance;
  - freedom from harassment by individual(s), organizations, or businesses due to unauthorized release or sale of employee records;
  - protection from exploitation via audio and digital media;
  - security of files, passwords, and user codes from inappropriate or unauthorized access;
  - authority to refuse a polygraph, lie detector, or other invasive methods of evidence collection;
- fingerprinting is acceptable only for the purpose of pre-employment or pre-licensure check for criminal records pertinent to employment;
- student/client assessment programs must not be used to evaluate teachers/employees; and
- a diverse society enriches ALL individuals.
NATIONAL EDUCATION ASSOCIATION
BILL OF TEACHER RIGHTS

PREAMBLE

We, the teachers of the United States of America, aware that a free society is dependent upon the education afforded its citizens, affirm the right to freely pursue truth and knowledge.

As an individual, the teacher is entitled to such fundamental rights as dignity, privacy, and respect.

As a citizen, the teacher is entitled to such basic constitutional rights as freedom of religion, speech, assembly, association, and political action and equal protection of the law.

In order to develop and preserve respect for the worth and dignity of humankind, to provide a climate in which actions develop as a consequence of rational thought, and to insure intellectual freedom, we further affirm that teachers must be free to contribute fully to an educational environment which secures the freedom to teach and the freedom to learn.

Believing that certain rights of teachers derived from these fundamental freedoms must be universally recognized and respected, we proclaim this Bill of Teacher Rights.

ARTICLE I - RIGHTS AS A PROFESSIONAL

As a member of the teaching profession, the individual teacher has the right:

Section 1. To be licensed under professional and ethical standards established, maintained, and enforced by the profession.

Section 2. To maintain and improve one's professional competence.

Section 3. To exercise professional judgement in presenting, interpreting and criticizing information and ideas, including controversial issues.

Section 4. To influence effectively the formulation of policies and procedures which affect one's professional services, including curriculum, teaching materials, methods of instruction, and school-community relations.

Section 5. To exercise professional judgment in the use of teaching methods and materials appropriate to the needs, interests, capacities, and the linguistic and cultural background of each student.

Section 6. To safeguard information obtained in the course of professional service.

Section 7. To work in an atmosphere conducive to learning, including the use of reasonable means to preserve the learning environment and to protect the health and safety of students, oneself, and others.

Section 8. To express publicly views on matters affecting education.

Section 9. To attend and address a governing body and be afforded access to its minutes when official action may affect one's professional concerns.
ARTICLE II - RIGHTS AS AN EMPLOYEE

As an employee, the individual teacher has the right:

Section 1. To seek and be fairly considered for any position commensurate with one's qualifications.

Section 2. To retain employment following entrance into the profession in the absence of showing just cause for dismissal or nonrenewal through fair and impartial proceedings.

Section 3. To be fully informed, in writing, of rules, regulations, terms, and conditions affecting one's employment.

Section 4. To have conditions of employment in which health, security, and property are adequately protected.

Section 5. To influence effectively the development and application of evaluation procedures.

Section 6. To have access to written evaluations, to have documents placed in one's personnel file to rebut derogatory information, and to have removed false or unfair material through a clearly defined process.

Section 7. To be free from arbitrary, capricious, or discriminatory actions affecting the terms and conditions of one's employment.

Section 8. To be advised promptly in writing of the specific reasons for any actions which might affect one's employment.

Section 9. To be afforded due process through the fair and impartial hearing of grievances, including binding arbitration, as a means of resolving disputes.

Section 10. To be free of interference to form, join, or assist employee organizations, to negotiate collectively through representatives of one's own choosing, and to engage in other concerted activities for the purpose of professional negotiations or other mutual aid or protection.

Section 11. To withdraw services collectively when reasonable procedures to resolve impasse have been exhausted.

ARTICLE III - RIGHTS IN AN ORGANIZATION

As an individual member of an employee organization, the teacher has the right:

Section 1. To acquire membership in employee organizations based upon reasonable standards equally applied.

Section 2. To have equal opportunity to participate freely in the affairs and governance of the organization.

Section 3. To have freedom of expression, both within and outside the organization.

Section 4. To vote for organization officers, either directly or through delegate bodies, in fair elections.

Section 5. To stand for and hold office subject only to fair qualifications uniformly applied.

Section 6. To be fairly represented by the organization in all matters.

Section 7. To be provided periodic reports of the affairs and conduct of business of the organization.
Section 8. To be provided detailed and accurate financial records, audited and reported at least annually.

Section 9. To be free from arbitrary disciplinary action or threat of such action by the organization.

Section 10. To be afforded due process by the organization in a disciplinary action.

Adopted by the 2015 North Dakota United Delegate Assembly
PREAMBLE

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

PRINCIPLE I

COMMITMENT TO THE STUDENT

The educator strives to help each student realize his or her potential as a worthy and 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.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not, on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly:
   a. Exclude any student from participation in any program.
   b. Deny benefits to any student.
   c. Grant any advantage to any student.
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.
PRINCIPLE II
COMMITMENT TO THE PROFESSION

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not, in an application for a professional position, deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

Adopted by the 2015 North Dakota United Delegate Assembly
NORTH DAKOTA EDUCATORS’ CODE OF ETHICS

THE PREAMBLE

The educator believes in the worth and dignity of each human being and strives to help each student realize his or her 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 profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

The quality of the services of the education profession directly influences the nation and its citizens. The educator shall exert every effort to raise professional standards, to promote a climate that encourages persons worthy of trust to exercise careers in education, and to assist in preventing the practice of the profession by unqualified persons.

The educator believes that patriotism, in its highest form, requires dedication to the principles of our democratic heritage and assumes full political and citizenship responsibility. The educator shares with all other citizens the responsibility for the development of educational programs and policies and for interpreting these to the public.

The professional 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.

PRINCIPLE I

COMMITMENT TO THE STUDENT

In fulfillment of the obligation to the student, the educator shall:

1. Deal justly and considerately with each student.
2. Share the professional responsibilities for improving educational opportunities.
3. Provide reasonable opportunity for the student to study varying concepts and respect his right to form his own views.
4. Disperse information about the student obtained in the course of professional service only as prescribed by law.
5. Avoid using professional relationships with students for private advantage

PRINCIPLE II

COMMITMENT TO THE PROFESSION

In fulfillment of the obligation to the profession, the educator shall:

1. Recognize that the profession must accept responsibility for the professional conduct of its members and understand that their own conduct may be regarded as representative.
2. Evaluate conditions within a district or an institution of learning and make known serious deficiencies by taking action deemed necessary and proper through established professional, legal, and/or legislative channels.
3. Not knowingly misrepresent his/her or another's professional qualifications or competencies.
4. Refrain from assigning professional duties to unqualified personnel.
5. Disclose information about colleagues obtained in the course of professional service only when such disclosure serves a compelling professional purpose or is required by law.
6. Not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.
7. Study and adhere to the terms and conditions of a contract.
8. Present only factual information regarding the assignment or conditions of employment to an applicant.
PRINCIPLE III
COMMITMENT OF THE COMMUNITY

In fulfilling this obligation to the community, the educator shall:

1. Acknowledge and encourage the right and responsibility of the public to participate in the formulation of educational policy.

2. Recognize that each educational institution may have a person authorized to interpret its official policies.

3. Assume full political and citizenship responsibilities, but refrain from exploiting the institutional privileges of his/her professional position to promote political candidates or partisan activities.

CODE OF ETHICS

The North Dakota Educator's Code of Ethics was revised by the Education Standards and Practices Board. The ESPB took over this responsibility from the Superintendent of Public Instruction on July 1, 1995. (96)

AUTHORITY

15-38-18. Duties of the education standards and practices board. It is the duty of the board to supervise the certification of teachers, to set standards for and approve teacher preparation programs, to develop and revise, consistent with state law, professional codes or standards relating to ethics, conduct, and professional performance and practices and to provide recommendations for in-service education of persons engaged in the profession of teaching in the public schools. In the development of such professional codes and standards, the board shall solicit the assistance of members of the teaching profession and representatives of school administrators, school board members, teacher education professors, and other interested citizens. The board shall adopt approved or revised codes and standards as rules in accordance with chapter 28-32. The board may enter into agreements with other states to acquire reciprocal approval of teacher preparation programs, apply for and receive federal or other funds on behalf of the state for purposes related to its duties, and to perform any other duty that relates to the improvement of instruction through teacher education, professional development, and continuing education programs. The board has the powers and privileges of a corporation, including the right to sue and be sued in its own name as the board. The venue of all actions in which the board is a party must be Burleigh County, North Dakota. The board shall appoint an executive director to serve at its discretion. The executive director shall perform the duties assigned by the board. The board shall authorize the employment of staff necessary for the sound and economic administration of its duties, responsibilities, and functions. The executive director shall hire the staff, subject to the approval of the board. (96)

SOURCE: N.D.C.C.; S.L. 1993, CH. 171. Amended 1993 Complete rules of practice and procedure for the Board are found in the procedures of the Education Standards and Practices Board. Information may be obtained by writing to the Executive Director of ESPB, 600 East Boulevard, Bismarck, ND 58505-0440. Telephone 328-2297.
SCHOOL LIBRARY BILL OF RIGHTS
for School Library Media Center Programs*

The American Association of School Librarians reaffirms its belief in the Library Bill of Rights of the American Library Association. Media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end, the American Association of School Librarians asserts that the responsibility of the school library media center is:

- To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles, and to provide maximum accessibility to these materials.
- To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served.
- To provide materials for teachers and students that will encourage growth in knowledge, and that will develop literary, cultural and aesthetic appreciation, and ethical standards.
- To provide materials which reflect the ideas and beliefs of religious, social, political, historical, and ethnic groups and their contribution to the American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgments.
- To provide a written statement, approved by the local Boards of Education, of the procedures for meeting the challenge of censorship of materials in school library media centers.
- To provide qualified professional personnel to serve teachers and students.

The School Library Media Program plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a Learning Laboratory for students as they acquire critical thinking and problem solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library media program, the principles of the LIBRARY BILL OF RIGHTS apply equally to all libraries, including school library media programs.

School library media professionals assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School library media professionals work closely with teachers to integrate instructional activities in classroom units designed to equip students to locate, evaluate, and use a broad range of ideas effectively. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School library media professionals cooperate with other individuals in building collections of resources appropriate to the developmental and maturity levels of students. These collections provide resources which support the curriculum and are consistent with the philosophy, goals, and objectives of the school district.

Resources in school library media collections represent diverse points of view and current as well as historic issues.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library media program have access to resources and services free of constraints resulting from personal, partisan, or doctrinal-disapproval. School library media professionals resist efforts by individuals to define what is appropriate for all students or teachers to read, view, or hear.

Major barriers between students and resources include: imposing age or grade level restrictions on the use of resources, limiting the use of interlibrary loan and access to electronic information, charging fees for information in specific formats, requiring permissions from parents or teachers, establishing restricted shelves or closed collections, and labeling. Policies, procedures and rules related to the use of resources and services support free and open access to information.

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The school board adopts policies that guarantee student access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community, provide for a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. School library media professionals implement district policies and procedures in the school.

Adopted June 26, 1986
AASL Directors Board
Adopted July 2, 1986
ALA Council