

SENATE BILL 662

By Gresham

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to the educators' code of conduct.

WHEREAS, the foundation of this code of conduct is that an educator values the worth and dignity of every student, the pursuit of truth, devotion to excellence, and the acquisition of knowledge. An educator's primary professional concern shall always be for the student's academic standing and for the development of the student's potential in the classroom. The educator shall therefore exercise the best professional judgment and integrity in providing leadership to the student. Being aware of the importance of maintaining the respect and confidence of one's colleagues, students, parents, and other members of the community, the educator shall strive to achieve and sustain the highest degree of ethical conduct; and

WHEREAS, with the above stated foundation, the objectives of this code of conduct are to address the need for ethical leadership of students involved in extracurricular activities. The ethical norms of integrity, honesty, truth, fairness and respect for others must underpin the work of the members of the education community. Based on these ethical norms, the standards of professional conduct must guide the members of the education profession. Educators and administrators have the responsibility to attain and depict the highest degree of ethical conduct towards students, parents and society; and

WHEREAS, this code seeks to ensure that the privileged relationship between the educator and student is not exploited in any way, especially in regard to the educator's possible desire to put the needs and wants of the extracurricular activity ahead of the needs and challenges of the classroom. The student's academic standing must be put first, and foremost, at all times; and

WHEREAS, this code seeks to promote public trust in and support for the education profession by creating a culture in which the minimum requirements of the classroom and the state of Tennessee are never replaced with the requirements of the extracurricular activity. Given the importance of educators and administrators in the education process, and their unique position of trust and influence, especially on students, this code clearly focuses on educators and, importantly, administrators; administrators establish the culture the students and educators operate within; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following as a new section:

(a) Educators should remember that the state of Tennessee only awards diplomas for academic performance, never for the performance in an extracurricular activity. The job of educators must be focused solely on academics, first. Extracurricular activities are to be enjoyed after the needs of the classroom have been successfully met. Educators should understand the significant societal problems of a student failing in the basic academic work while diluting their available time for academic work with extracurricular activities, refrain from promoting extracurricular activities over basic academic work, exhort the community to focus on the classroom first, and foremost, and win public trust and confidence by providing proper focus on academic standards and keeping extracurricular activities in their proper place as a privilege to be pursued after meeting academic standards. The following educators' code of conduct is established to regulate the behavior of teachers, coaches, volunteers and administrators of any kind with regard to extracurricular activities.

(b) With regard to students involved in extracurricular activities, teachers, coaches, volunteers and administrators shall:

(1) Respect the need for the student to be on track to academically meet the minimum standards of the state of Tennessee at all times;

(2) Prioritize the student's academic standing above all else in the student's experience on the school campus;

(3) Build a vision of extracurricular activities as privileges, not rights;

(4) Give respect to all participants, officials and competitors involved in extracurricular activities and provide proper supervision while establishing the model for fair play;

(5) Focus on student safety at all times;

(6) Use discretion when providing constructive criticism and when reprimanding a student;

(7) Strictly abide by all rules, regulations and guidelines governing the any extracurricular activity;

(8) Refrain from the use of profanity, vulgarity, offensive, and other abusive language and gestures;

(9) Refrain from engaging in offensive, inappropriate, or abusive contact with students;

(10) Remove any student from an extracurricular activity whose academic performance places the student in peril of receiving a failing grade or who has already earned a failing grade for any class. When a failing grade has been earned, the removal from all activity practices and events shall be kept in place for a minimum of six (6) weeks and the student shall not be reinstated until the failing grade has been raised to a passing grade; and

(11)

(A) Remove as ineligible for extracurricular activities, any student whose previous year-ending academic performance resulted in:

(i) A failing final grade in the last six (6) week grading period; or

(ii) A failure to pass their overall grade level and advance on the next grade level or graduate from the school;

(B) Removal pursuant to this subdivision (b)(11) shall be immediate and shall prevent the student from representing the school in any competition that takes place following the determination of ineligibility.

(c) With regard to parents and guardians of students involved in extracurricular activities, teachers, coaches, volunteers and administrators shall:

(1) Convey all requirements of this section;

(2) Clarify the minimum academic standards of the state of Tennessee and the unacceptability of extracurricular activities contributing to the failure of the student to meet the state's minimum standards; and

(3) Establish and maintain cordial relations in working to improve learning outcomes and improve the functioning of the school as an academic institution.

(d) When an educator fails to meet the requirements of this section, the following punitive actions shall be taken by the LEA:

(1) Upon a first violation of this section, an educator shall receive a formal reprimand from the educator's supervisor; and

(2) Upon a second violation of this section, an educator shall be prohibited from participating in the extracurricular activity involved in the violation for the remainder of the academic year; and

(3) Upon a third violation, an educator shall be prohibited from participating in any extracurricular activity in the LEA.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.