

Staff Conduct (And Responsibilities)

All staff members have a responsibility to make themselves familiar with, and abide by, the laws of the State as these laws affect their work, the policies of the Board, and the regulations designed to implement them.

REGULATIONS:

1. Adopted administrative policies and Board of Education Governance policies will be distributed by the office of the Superintendent to each building principal. Each principal will maintain an up-to-date copy of both sets of policies in his/her office and direct employees to the district website, (www.eagleschools.net) where they are available for reference.
2. For employees who do not work in a specific school, these policies will also be available in the Superintendent's office or the office of Human Resource Services.
3. Rules of Conduct

Each staff member shall observe rules of conduct established by statute which specifies that a school employee shall not:

- a. Disclose or use confidential information acquired in the course of his/her employment to substantially further his/her personal financial interests.
- b. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in his/her position or which (s)he knows or should know is primarily for the purpose of rewarding him/her for action taken in which (s)he exercised discretionary authority.
- c. Engage in a substantial financial transaction for his/her private business purposes with a person whom (s)he supervises.
- d. Perform any action in which (s)he has discretionary authority which directly and substantially confers an economic benefit on a business or other undertaking in which (s)he has a substantial financial interest or in which (s)he is engaged as a counsel, consultant, representative, or agent.

The phrase "*economic benefit tantamount to a gift of substantial value*" includes a loan at a rate of interest substantially lower than the prevailing commercial rate or compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for an employee to receive:

- a. A nonpecuniary award publicly presented by a nonprofit organization in recognition of public service.
- b. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which (s)he is scheduled to participate.
- c. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of his/her position.
- d. Payment for speeches, debates, or other public events reported as honorariums.

All staff members shall be expected to carry out their assigned responsibilities with conscientious concern. It shall not be considered a breach of conduct for a staff member to:

- a. Use school facilities and equipment to communicate with patrons, family members, or professional associates on an occasional basis.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which shall be required of all personnel:

- a. Faithfulness and promptness in attendance at work.
- b. Support and enforcement of all policies and regulations in regard to students.
- c. Diligence in submitting required reports promptly at the times specified.
- d. Care and protection of school property.
- e. Concern and attention toward their own and the school system's legal responsibility for the safety and welfare of students including the need to ensure that students are supervised at all times.

A staff member may request an advisory opinion from the Secretary of State concerning issues relating to conduct that is proscribed by state law.

4. Reasons for Dismissal

According to state statute, "a teacher may be dismissed for physical or mental disability, incompetence, neglect of duty, immorality, unsatisfactory performance, insubordination,

the conviction of a felony or the acceptance of a guilty plea, a plea of nolo contendere, or a deferred sentence for a felony or other good and just cause”.

In the above quote that has been taken directly from Colorado State Statute, insubordination is defined by the State and by the District as a willful failure or refusal to obey reasonable orders of a superior who is entitled to give such orders. Insubordination is grounds for dismissal for all licensed staff members and does not require a showing that a teacher specifically intended to violate the directions of superiors. Proof of insubordination merely requires intentional conduct, where there is evidence that a willful refusal to obey reasonable orders of a superior who is entitled to give such orders has occurred.

5. Felony/Misdemeanor Convictions

If the District has good cause to believe that any staff member has been convicted of any felony or misdemeanor (*not including misdemeanor traffic offenses or infractions*) the district shall make inquiries to the department of education for purposes of screening the employee.

In addition, the district shall require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency. Fingerprints shall be submitted within 20 days of receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation. Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information.

Employees shall not be charged fees for processing fingerprinting under these circumstances.

Unlawful Behavior Involving Children

The Board may make an inquiry with the Department of Education or the Colorado Department of Investigation concerning whether any current employee of the District has been convicted of, pled nolo contendere to, or received a deferred sentence or deferred prosecution for a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry disclosed information relevant to the employee’s fitness for employment.

5. Child Abuse

Pursuant to Section 19-3-308 (5.7), C.R.S., the Superintendent is authorized to conduct an internal investigation or to take any other necessary steps if (s)he receives information from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a district employee. Such information shall remain confidential

except that the Superintendent shall notify the Colorado Department of Education of the child abuse investigation.

If the Superintendent (or designee) determines that there is reasonable cause to believe that the life or health of the student victim or other students is in imminent danger because of continued contact between the district employee and a student, such employee shall be temporarily suspended with pay, or shall be reassigned to other duties which would remove the risk of harm to the student. Such employee shall be afforded and may exercise due process rights, including notice of the proposed suspension and an opportunity to be heard.

6. Possession of Deadly Weapons

The provisions of Policy KFA regarding public possession of deadly weapons on school property or in school buildings also shall apply to employees of the District. However, the restrictions shall not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

7. Personnel Addressing Health Care Treatment for Behavior Issues

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used and obtaining prior written permission from the student or from the student's parent/guardian. School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns school personnel may have.

- LEGAL REFS.:
- C.R.S. 18-12-105.5
 - C.R.S. 18-12-214 (3)(b) (*school security officers may carry concealed handgun pursuant to valid permit*)
 - C.R.S. 19-3-308 (5.7)
 - C.R.S. 22-32-109(1)(ee) (*duty to adopt policy prohibiting personnel from recommending certain drugs for students or ordering behavior tests without parent permission*)
 - C.R.S. 22-32-109.1 (8) (*policy requiring inquiries upon good cause to department of education for purpose of screening employees is required part of safe schools plan*)
 - C.R.S. 22-32-109.7
 - C.R.S. 22-32-109.8 (6)
 - C.R.S. 22-32-109.8 (10)
 - C.R.S. 22-32-109.9
 - C.R.S. 22-32-110 (1)(k)
 - C.R.S. 24-18-104
 - C.R.S. 24-18-109

