

Staff Conduct (And Responsibilities)

All staff members have a responsibility to make themselves familiar with and abide by federal and state laws as these affect their work, and the policies and regulations of the district. All staff members shall be expected to carry out their assigned responsibilities.

As representatives of the district and role models for students, all staff must demonstrate and uphold high professional, ethical and moral standards. Staff members must conduct themselves in a manner that is consistent with the educational mission of the district and must maintain professional boundaries with students at all times. Interactions between staff members must be based on mutual respect and any disputes will be resolved in a professional manner.

Rules of conduct

Each staff member shall observe rules of conduct established in law which specify that a school employee shall not:

1. Disclose or use confidential information acquired in the course of employment to substantially further personal financial interests.
2. 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 the position, or which the staff member knows or should know is primarily for the purpose of a reward for action taken in which the staff member exercised discretionary authority.
3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.
4. Perform any action in which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

All staff members are expected to carry out their assigned responsibilities with conscientious concern.

It is not considered a breach of conduct for a staff member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates on an occasional basis.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

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

1. Faithfulness and promptness in attendance at work.

2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward the safety and welfare of students including the need to insure that students are appropriately supervised.
6. Reasonable and prudent care is given to each student's welfare by abiding safety of students.

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

Child abuse

All district employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with policy JLF.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information must remain confidential except that the superintendent must notify the Colorado Department of Education of the child abuse investigation.

Possession of deadly weapons

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

Felony/misdemeanor convictions

If, subsequent to beginning employment with the district, the district learns or has good cause to believe that any staff member has been convicted of, plead nolo contendere to, or received a deferred or suspended sentence for any felony or misdemeanor other than a misdemeanor traffic offense or infraction, the district must make inquiries to the Department of Education for purposes of screening the employee.

In addition, the district must require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency. Fingerprints must be submitted within 20 days of receipt of written notification. The fingerprints must 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. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, the district must require the employee to submit to a name-based criminal history record check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information. Non-licensed employees must be terminated if the results of the fingerprint-based or name-based criminal history record check disclose a conviction for certain felonies, as provided in law.

Employees must not be charged fees for processing fingerprints under these circumstances.

Unlawful behavior involving children

The Board may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled *nolo contendere* to, or received a deferred sentence 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 discloses information relevant to the employee's fitness for employment.

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. See policy JLDAC. School personnel are encouraged to discuss concerns about the student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate healthcare professional regarding any behavior concerns school personnel may have.

Adopted: September 10, 2002
Revised: June 8, 2004
Revised: January 8, 2008
Amended: December 9, 2014
Revised: October 13, 2020

LEGAL REFS.: 28 C.F.R. 50.12 (b) (*notification requirements regarding fingerprints*)
C.R.S. 18-12-105.5 (*unlawful carrying/possession of weapons on school grounds*)
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) (*child abuse reporting*)

- C.R.S. 22-1-130 *(parent notification of employee criminal charges)*
- C.R.S. 22-2-119.3 (6)(d) *(name-based criminal history record check definition)*
- 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)(pp) *(annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs)*
- C.R.S. 22-32-109.1 (8) *(policy requiring inquiries upon good cause to department of education for purpose of ongoing screening of employees)*
- C.R.S. 22-32-109.7 *(duty to make inquiries prior to hiring)*
- C.R.S. 22-32-109.8 *(non-licensed personnel – submittal of fingerprints and name-based criminal history record check)*
- C.R.S. 22-32-109.8 (6)(a) *(requirement to terminate non-licensed employees for certain felony offenses)*
- C.R.S. 22-32-109.9 *(licensed personnel – submittal of fingerprints and name-based criminal history record check)*
- C.R.S. 22-32-110 (1)(k) *(power to adopt conduct rules)*
- C.R.S. 24-18-104 *(government employee rules of conduct)*
- C.R.S. 24-18-109 *(local government employee rules of conduct)*
- C.R.S. 24-18-110 *(voluntary disclosure)*

CROSS REFS.:

- JLC, Student Health Services and Records
- JLDAC, Screening/Testing of Students (And Treatment of Mental Disorders)
- JLF, Reporting Child Abuse/Child Protection
- KDBA*, Parent Notification of Employee Criminal Charges
- KFA, Public Conduct on District Property