

SECTION 300 – PERSONNEL

STAFF RESPONSIBILITIES AND CONDUCT

POLICY 307

ARTICLE 1 STAFF RESPONSIBILITIES

- A. Staff members are responsible for making themselves familiar with and abiding by Federal and Colorado laws, Board of Education policies, District regulations, and school procedures that relate to their employment.
- B. Each staff member is required to fulfill duties and responsibilities as defined in his/her job description.
- C. In addition to fulfilling specific job responsibilities, staff members are required to:
 1. Assure the safety and welfare of students including necessary actions to insure that students are supervised at all times.
 2. Demonstrate faithfulness and promptness in attendance at work.
 3. Submit required reports promptly at the times specified.
 4. Demonstrate care of and protection of School District property.
- D. Each employee must report suspected child abuse or neglect as required by policy (see Article 4) law.

ARTICLE 2 RULES OF CONDUCT

- A. Staff members shall be expected to carry out their assigned responsibilities and adhere to the rules of conduct. Violations of this policy shall be grounds for disciplinary action and/or termination of employment.
- B. Each staff member shall observe rules of conduct established in law and/or Platte Canyon School District policy. A school employee shall not:
 1. Disclose or use confidential information acquired in the course of his/her employment or violate the Federal Privacy Act.
 2. Accept a gift of substantial value or economic benefit that would tend to improperly influence a reasonable person in his/her position or that he/she knows or should know is primarily for the purpose of rewarding him/her for action taken in which he/she used

References:

C.R.S. 1812-105.5 Unlawfully Carry ing a Weapon on School Grounds
C.R.S. 1812-214 Individuals who may possess concealed handgun pursuant to a valid permit
C.R.S. 191-103 (1) Definition of child abuse or neglect
C.R.S. 103-102 & 103 Definition of neglected or dependent child
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C.R.S. 193-309 Immunity from liability fopersons reporting child abuse/neglect
C.R.S. 2232-109(1)(cc) Districts Required to have Staff Dress Code
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C.R.S. 2232-109.9 Fingerprinting Licensed Employees
C.R.S. 2232-110 (1) (h) Power to discharge/terminate employment
C.R.S. 2232-110 (1) (k) Board Power to Adopt Policies Related to Conduct and Welfare of Employees
C.R.S. 2260.5-107(4) License Revocation for Illegal or Unethical Behavior or Professional Incompetence
C.R.S. 2263-301, 302 Teachers Dismissal– Grounds for Dismissal; Procedures for Dismissal
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- discretionary authority. Substantial economic benefit includes a loan at a rate of interest substantially lower than the prevailing commercial rate and compensation for private services at a rate substantially exceeding the fair market value.
3. Engage in a substantial financial transaction for his/her private business purposes with a person whom he/she supervises or with students.

References:

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4. Perform any action in which he/she has discretionary authority that directly and substantially confers an economic benefit on a business or other undertaking in which he/she has a substantial financial interest or in which he/she is engaged as a counsel, consultant, representative or agent.
5. Possess a deadly weapon on School District property except (1) for employees who are required to carry or use deadly weapons in order to perform necessary duties defined in their job descriptions and (2) for an employee who has a concealed weapons permit who may keep a handgun in a compartment in a locked vehicle as per Colorado law.
6. Possess, use or distribute illegal drugs or controlled substances.
7. Possess, use or distribute alcohol on School District property, in School District vehicles or at School District activities or events.
8. Use or distribute to minors tobacco products on School District property, in School District vehicles or at School District activities or events.
9. Engage in immoral conduct, including sexual behavior, which affects the health safety, or welfare of children or conduct which offends the morals of the community or sets an inappropriate example for children or youth whose ideals the educator is expected to foster and elevate. If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, The Board of Education shall notify the Department of Education. The employee will be notified that information has been sent to the Department of Education unless such notice conflicts with confidentiality requirements of the Child Protection Act of 1987.
 - a. The Superintendent may make an inquiry with the Department of Education concerning whether any current employee of the 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 of employment, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

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10. Discriminate against a student or employee in violation of Policy 107.
11. Engage in harassment, including sexual harassment, of a student or employee in violation of Policy 107.

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C. Employees may receive:

1. An occasional non-pecuniary gift that is insignificant in value.
2. A non-pecuniary award publicly presented by a nonprofit organization in recognition of public service.
3. Payment or reimbursement for necessary expenditures for travel and subsistence for attendance at a convention or other meeting.
4. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting that is not extraordinary when viewed in light of his/her position.
5. Items of perishable or non-permanent value including but not limited to meals, lodging, travel expenses or tickets to recreational, educational or cultural events.
6. Payment for speeches, debates or other public events reported as honorariums.

ARTICLE 3 FELONY/MISDEMEANOR CONVICTIONS

- A. If the District has good cause to believe that any staff member employed on or after January 1, 1991, has been convicted of any felony or misdemeanor (not including misdemeanor traffic offenses) subsequent to employment, the District may ask the person to provide information about the offense. In addition, or as an alternative, the District may require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency unless the employee has submitted a set of fingerprints to another Colorado school district within the last two years and has given written consent for their transfer to the District. Fingerprints or the written notice of consent shall be submitted within 20 days of receipt of written notification. The fingerprints shall be released to the Colorado Bureau of Investigation (CBI) for processing. Disciplinary action may be taken against the employee if the results of fingerprint processing provide information about a conviction. Employees shall not be charged fees for processing fingerprints under these circumstances.

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ARTICLE 4 CHILD ABUSE AND NEGLECT

- A. It is the policy of the Board of Education that the District comply with the Child Protection Act. To this end, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately upon receiving such information report or cause a report to be made to the Park County Human Services Department or to the Park County Sheriff's Office. Failure to report promptly may result in civil and/or criminal liability. A person who reports child abuse or neglect in good faith is immune from civil or criminal liability.
- B. Reports of child abuse or neglect, the name and address of the child, family or informant or any other identifying information in the report shall be confidential and shall not be public information.
- C. Training programs shall be provided annually for employees to inform them about the Child Protection Act, to assist them in recognizing and reporting instance of child abuse and to instruct them on how to assist victims and their families. Information brochures that list child abuse reporting procedures shall be provided.
- D. School employees and officials shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school official or employee to prove that the child has been abused or neglected.
- E. The Superintendent is authorized to conduct an investigation or to take any other necessary steps if he/she receives information from a county department of social services or law enforcement agency that a suspected child abuse perpetrator is a School District employee. Such information shall remain confidential except that the Superintendent shall notify the Colorado Department of Education of the child abuse investigation. The Board of Education shall be notified during a confidential Executive Session.

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ARTICLE 5 EMPLOYEE DRESS CODE

- A. Employees project an image to the community and to students about the professionalism of the District. Thus, the Board of Education establishes an expectation that employees dress within the parameters set forth in this Article.
- B. During the workday and at all work-related activities, licensed employees, paraprofessionals and clerical staff shall adhere to a professional standard of dress and shall be neat and clean in appearance. Appropriate athletic clothing may be worn when teaching or assisting with physical education classes or when coaching athletic activities. Professional dress exceptions may be made for special activities (field days, hikes, etc.).
- C. During the workday and at all work-related activities, bus drivers, food service employees, custodians, and maintenance workers shall be neat and clean in appearance as reasonably possible given the tasks being performed.
- D. The following items are deemed disruptive to the classroom environment, detrimental to the maintenance of a safe and orderly school, or reflective of an image not in keeping with community standards. These clothing items and visible body adornments are not acceptable for employees during the workday or at work-related activities:
 1. Shorts, dresses, skirts or other similar clothing shorter than mid-thigh length
 2. Hats and/or sunglasses worn in classrooms while class is in session
 3. Inappropriately sheer, tight or low-cut clothing (e.g. midriffs, halter tops, backless clothing, tube tops, garments made of fishnet, mesh or similar material, muscle tops) that bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back and breasts
 4. Any clothing paraphernalia, grooming, jewelry, hair coloring, accessories, body adornments, or tattoos that represent or contain any advertisement, symbols, words, slogans, patches or pictures that:
 - a. Refer to drugs, tobacco, alcohol, or weapons
 - b. Are of a sexual nature
 - c. By virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
 - d. Are obscene, profane, vulgar, lewd, or legally libelous

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- e. Threaten the safety or welfare of any person or demean any group or person
 - f. Promote any activity prohibited by the Code of Conduct for students and staff
 - g. Otherwise would or does disrupt or interfere with the teaching-learning process or activities of the School District
- 5. Visible body piercings (including tongue piercing) other than jewelry worn on the ears.
 - 6. Jewelry designed to enlarge the ear lobes.
 - 7. Visible skin brands.
- E. Employees deemed by the Principal, Director or Superintendent to be inappropriately dressed, as defined in this Article, shall be asked to comply with the policy and, if practicable, to comply with the dress code immediately. Continued disregard for the code shall be considered insubordination and grounds for disciplinary action and/or termination of employment.

ARTICLE 6 EMPLOYEE USE OF THE INTERNET

- A. The internet may be used by staff to improve teaching and learning through interpersonal communication, to access information, and for research, training and collaboration and dissemination of successful educational practices, methods and materials. Use of this education resource demands personal responsibility. It is a privilege, not a right. Use must be consistent with the mission and educational expectations of the District. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, and material protected by trade secret. Employees may use the internet within the parameters of this Article and shall assure that students under their direction and charge understand and adhere to these provisions.

ARTICLE 7 EMPLOYEE USE OF THE DISTRICT E-MAIL SYSTEM

- A. The District E-mail System (Groupwise) is to be used for District and school messages and professional correspondence among staff. Use must be consistent with the mission and educational expectations of the District.
- B. District employees are expected to regularly access their E-mail to receive official communications and bulletins.

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- C. The E-mail system is not to be used for personal profit, advertising, or notifying employees of items for sale or rent except that advertising or notices may be made on an electronic bulletin board or address established by the District.
- D. The E-mail system is not to be used to express personal opinions and beliefs or to influence staff with regard to political, religious or other beliefs or convictions, nor is the system to be used to obtain support for a personal bias regarding a controversial District issue or matter under consideration by the Board of Education.

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ARTICLE 8 EMPLOYEE USE OF DISTRICT RESOURCES

- A. District resources (e.g. phones, copy machines, projectors, furniture) are only to be used for District and school functions and purposes with the following exceptions:
1. A personal phone call may be made via the District's phone system if the call is not disruptive to the educational process and it does not create a cost to the District. Any costs billed to the District for personal uses will be collected from the employee.
 2. Limited copies may be made for personal use on copy machines with payment based upon per copy costs to the District.
 3. Furniture or equipment may be used for a special function if use is approved by the Principal or Superintendent. The employee shall be responsible for repair of any damage or replacement of the items should they be lost, stolen, or not returned for any reason.
- B. District resources are not to be used for personal profit, advertising, or notifying employees of items for sale or rent except that advertising or notices may be posted at approved sites at each facility.
- C. District resources are not to be used to express personal opinions and beliefs or to influence staff with regard to political, religious or other beliefs or convictions, nor to obtain support for a personal bias regarding a controversial District issue or matter under consideration by the Board of Education.

ARTICLE 9 DISCIPLINARY ACTIONS FOR EMPLOYEES

- A. Disciplinary action may be imposed upon any employee for failure to satisfactorily fulfill his/her responsibilities. The action may include oral or written reprimands, demotion, transfer, change of assignment, suspension and/or dismissal.
- B. The Principal shall submit recommendations to the Superintendent regarding the suspension and/or dismissal of all personnel assigned to the school under his/her supervision. The Director shall submit recommendations to the Superintendent regarding the suspension and/or dismissal of all personnel assigned to his/her department and under his/her supervision.

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C.R.S. 2418-104-109 Rules of Conduct for Public Employees
U.S.C. 47 201 et seq. Communications Decency Act of 1995

Adopted: 8/10/01; Revised 10/1/03 ; 6/16/04; 10/15/07 ; 05/10/10

SECTION 300 – PERSONNEL

STAFF RESPONSIBILITIES AND CONDUCT

POLICY 307

- C. The District shall follow all procedures established by State law and regulations pertaining to the suspension and/or dismissal of licensed employees. In the event of serious misconduct, the Superintendent may suspend a licensed employee from employment with pay and benefits continuing until such charges are investigated and a decision is made by the Board to continue or terminate employment. If the employee is cleared of charges, he/she will be immediately reinstated. If the charges are upheld, the termination date will be the date of the Board's decision on the matter. A decision concerning the charges shall not exceed 20 working days from the time of suspension.
- D. Classified employees, unless otherwise designated by contract, shall be considered "at will" employees who serve at the pleasure of the Board and shall have only those employment rights expressly established by Board policy. Classified staff members shall be employed for such time as the District is in need of or desirous of the services of such employees. The Board delegates to the Superintendent the authority to suspend classified employees from their assignments as a disciplinary measure, with or without pay. The Board also delegates to the Superintendent the authority to dismiss classified personnel from employment. All dismissals of classified employees shall be reported to the Board at its next regular meeting.
- E. An employee may be dismissed from employment for unsatisfactory performance of assigned responsibilities as designated in his/her respective job description. In events other than flagrant nonperformance or serious misconduct, the employee shall receive a written reprimand warning him/her of being dismissed from employment if performance does not improve, prior to such action.
- F. Any disciplinary action imposed upon an employee, if protested, shall be processed through the regular grievance procedure. If a supervisor has reason to discipline an employee, he/she shall make reasonable effort to impose such discipline in a manner that will not embarrass or humiliate the employee before other employees and/or the public. An employee may be suspended with loss of pay for unsatisfactory performance if said employee has been given written warning ahead of time stating that such may occur.

References:

C.R.S. 1812-105.5 Unlawfully Carry ing a Weapon on School Grounds
C.R.S. 1812-214 Individuals who may possess concealed handgun pursuant to a valid permit
C.R.S. 191-103 (1) Definition of child abuse or neglect
C.R.S. 103-102 & 103 Definition of neglected or dependent child
C.R.S. 193-304 Person Required to Report Child Abuse or Neglect
C.R.S. 193-307 Child Abuse Reporting Procedures
C.R.S. 193-308 (5.7) Suspected Abuse or Neglect by Employee; Superintendent to Notify Department of Education
C.R.S. 193-309 Immunity from liability fopersons reporting child abuse/neglect
C.R.S. 2232-109(1)(cc) Districts Required to have Staff Dress Code
C.R.S. 2232-108 (1)(z) Providing inservice for teachers on child abuse reporting
C.R.S. 2232-109.8 Fingerprinting Non-licensed Applicants and Employees,
C.R.S. 2232-109.9 Fingerprinting Licensed Employees
C.R.S. 2232-110 (1) (h) Power to discharge/terminate employment
C.R.S. 2232-110 (1) (k) Board Power to Adopt Policies Related to Conduct and Welfare of Employees
C.R.S. 2260.5-107(4) License Revocation for Illegal or Unethical Behavior or Professional Incompetence
C.R.S. 2263-301, 302 Teachers Dismissal– Grounds for Dismissal; Procedures for Dismissal
C.R.S. 2418-104-109 Rules of Conduct for Public Employees
U.S.C. 47 201 et seq. Communications Decency Act of 1965

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