

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.

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 the staff member has discretionary authority which directly and substantially confers an economic benefit 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.

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 and

compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for an employee to receive:

1. An occasional nonpecuniary gift which is insignificant in value.
2. A nonpecuniary award publicly presented by a nonprofit organization in recognition of public service.
3. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he or she is scheduled to participate.
4. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of the position.
5. Items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events.
6. Payment for speeches, appearances or publications 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:

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 shall be 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 ensure that students are appropriately supervised.

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 a child is subjected to abuse or to conditions that might result in abuse or neglect must 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 shall remain confidential except that the superintendent shall 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 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.

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 any felony or misdemeanor other than a misdemeanor traffic offenses or infraction 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 must be submitted within 20 days of receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation (CBI) 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 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 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.

Adopted: November 14, 1978

Revised: September 14, 1993

Revised: September 27, 1994

Revised: October 12, 1999

Revised: October 12, 2010

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. 22-65-105

C.R.S. 24-18-104

C.R.S. 24-18-109

CROSS REFS.: JLC, Student Health Services and Records
JLDAC, Screening/Testing of Students
JLF, Reporting Child Abuse/Child Protection
KFA, Public Conduct on School Property

Swink School District #33, Swink, Colorado