Staff Conflicts of Interest

No employee of the Board shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

Employees shall not engage in work of any type where information concerning customer, client or employer originates from any information available to them through school sources.

An employee shall not take or receive any part or portion of moneys from the sale, proceeds, profit, or items in lieu thereof of any book, musical instrument, school supplies, school apparatus, or other materials, including custodial, office, and athletic supplies, sold to a minor, or the parent or guardian of a minor, enrolled in the school where the employee is performing services, or which may be sold to the school district unless prior approval has been obtained from the board.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any employee responsible for the supervision and/or evaluation of any other employee be directly related to him/her.

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 affect their work, the policies of the Board and the regulations designed to implement them.

As representatives of the District and role models for students, all staff shall demonstrate and uphold high professional, ethical and moral standards and conduct themselves in a manner that is consistent with the educational mission of the District. Interactions between staff members must be based on mutual respect, and any conflicts must be resolved in a professional manner. The Superintendent is authorized to develop and promulgate by regulation a code of conduct applicable to all employees that is consistent with this policy. Such code of conduct shall set forth ethical and moral standards for behavior and core principles of professionalism to guide day-to-day staff behavior, interaction and decision-making.

Prohibited 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 his/her employment to further substantially his/her 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 his/her position or which he/she knows or should know is primarily for the purpose of rewarding him/her for action taken in which he/she exercised discretionary authority.

3. Engage in a substantial financial transaction for his/her private business purposes with a person whom he/she supervises.

4. Perform any action in which he/she has discretionary authority which 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.
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/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 his/her 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, debates or other public events reported as honorariums.

All staff members shall be expected to carry out their assigned responsibilities with conscientious concern. A staff member may request an advisory opinion from the secretary of state concerning issues relating to conduct that is proscribed by state law.

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.

Staff Responsibilities

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 their own and the school system’s legal responsibility for the safety and welfare of students including the need to insure that students are supervised at all times.
6. Maintenance of proper professional boundaries with students at all times.

The superintendent shall develop and promulgate by regulation a non-exclusive list of actions or conduct that are not in keeping with reasonably expected standards of interaction between a staff member and students and that, in the absence
of a legitimate educational purpose, may be regarded as a violation of professional boundaries. Failure to maintain or observe professional boundaries with a student or students or engaging in a pattern of conduct with one or more students that is outside proper professional boundaries in violation of this policy shall be grounds for discipline, including dismissal.

**Felony/Misdemeanor Convictions**

If, subsequent to beginning employment with the District, the District has good cause to believe that any staff member has been convicted of, pled 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 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 after 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. Non-licensed employees shall be dismissed from employment if the results of the fingerprint-based criminal history record check disclose a conviction for certain felonies, as provided in law.

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

**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 Board policy and state law.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if he receives information 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.

**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 or suspended sentence or deferred prosecution for a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children. Disciplinary action, including termination, any 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. Prior to the conducting any such testing, school personnel shall obtain written permission from the parent/guardian or eligible student in accordance with applicable law. School personnel are encouraged to discuss concerns about a student’s behavior with 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. Only those persons appropriately certified or licensed may expose a student to any psychiatric or psychological method or procedure for the purpose of diagnosis, assessment or treatment of any emotional, behavioral or mental disorder or disability. Such methods or procedures may only be performed after acquiring written permission from a student’s parent or guardian, or from the student in those
circumstances in which federal or state law allows the student to obtain such services in confidence or without prior notice to the parent/guardian.

**Possession of Dangerous Weapons**

The provisions of the policy regarding public possession of dangerous 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 dangerous weapons in order to perform their necessary duties and functions.

**Legal References:**
- 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. 22-32-109 (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 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 (6) (requirement to terminate non-licensed employees for certain felony offenses)
- C.R.S. 22-32-109.9 (licensed personnel-submittal of fingerprints)
- 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)

**Cross Reference:**
- JLC, Student Health Services and Records
- JLDAC, Testing of Students
- JLF, Reporting Child Abuse/Child Protection
- KFA, Public Conduct on District Property