

DRAFT

PROFESSIONAL CONDUCT FOR THE FACULTY AND STAFF

BFCCPS strives to maintain a work environment that is professional and conducive to open and direct communication. Members of the faculty and staff at BFCCPS shall exercise respect and professional conduct in all aspects of employment. BFCCPS recognizes that there may be situations when conflicts or grievances develop. To that end, BFCCPS has developed a Code of Ethics, a Code of Conduct, a progressive discipline procedure, and a grievance procedure, as set forth below.

A. Code of Ethics

- (1) The primary professional concern of members of the faculty and staff will always be for the students and for the development of the students' potential. Members of the faculty will strive for professional growth and seek to exercise the best professional judgment and integrity.
- (2) Members of the faculty and staff will maintain the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.
- (3) Members of the faculty and staff should avoid outside employment or interests that either directly or indirectly, or have the potential to: a) interfere with the employee's work; b) present a competitive conflict, perceived conflict of interest, or a blurring of loyalties; or c) otherwise adversely affect job performance.

B. Code of Professional Conduct

BFCCPS strives to employ teachers and staff members who are the best qualified in their respective fields, committed to the education and personal growth of our students, and respectful of the charter school working environment. Working at BFCCPS offers unique rewards and opportunities for faculty and staff at BFCCPS, while also creating distinct obligations and requirements that all must observe. The following disciplinary rules shall constitute the principles of professional conduct. **Violation of any of these principles shall subject the individual to progressive discipline or immediate suspension pending possible termination, as well as other penalties as provided by law.**

(1) Obligations to Students and Parents

Members of the faculty and staff:

- (a) shall make reasonable efforts to protect students from conditions that are harmful to learning and/or to the students' mental and/or physical health and/or safety;
- (b) shall not unreasonably restrain a student from independent action in pursuit of learning.
- © shall not unreasonably deny a student access to diverse points of view;
- (d) shall not intentionally expose a student to unnecessary embarrassment or disparagement;
- (e) shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves a professional purpose or is required by law;
- (f) shall not intentionally violate or deny a student's legal rights, including access to mandated student services;
- (g) shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, or sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination.
- (h) shall not exploit a relationship with a student for personal gain or advantage;
- (I) shall at all time maintain an environment in the classroom, halls, courtyard, playgrounds, and parking lot that is respectful and virtuous.
- (j) shall communicate with families on matters affecting the student's performance or character development at BFCCPS.
- (k) shall not communicate with parents or other members of the community on matters relating to employment issues.

(2) Obligations to Colleagues and the Education Profession

In exercising personal authority and independence, members of the faculty and staff should observe, at the very least, the following principles of collegiality. Members of the faculty and staff:

- (a) shall treat colleagues with the utmost respect and dignity and maintain honestly in all professional dealings;
 - (b) shall support the efforts of colleagues on behalf of BFCCPS' students and its community;
 - Ⓢ) shall offer, accept, and respond positively to constructive criticism, and, when conflict arises, to work directly and responsively with colleagues towards its resolution according to the grievance procedures set forth in the employment handbook;
 - (d) shall observe established procedures for working together;
 - (e) shall participate in and contribute to the ongoing development of the faculty, academic programs, the four pillars, and BFCCPS in general;
 - (f) shall not engage in harassment or discriminatory conduct which unreasonable interferes with an individual's performance or professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive or oppressive environment; and further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination.
"Harassment" means any abusive or harassing conduct (including speech) that creates a hostile learning or work environment and may include insulting words, slurs, or rude/discourteous speech inconsistent with habits and manners of civil discourse. Verbal harassment is threats, gesture, or verbal attacks directed at one's racial ethnic or religious background, sexual preference, or mental or physical disability. Sexual harassment is sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when such conduct is unwelcome and creates an intimidating, hostile, or offensive learning/work environment. This can include sexual jokes. What one person may consider acceptable behavior may be viewed as sexual harassment by another person. To protect the rights of both parties, it is important that the victim make it clear to the harasser that the behavior is bothering him or her and its continuation will not be tolerated.
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- (g) shall not make malicious or intentionally false statements about a colleague;

- (h) shall not use coercive means or promise special treatment to influence professional judgments of colleagues;
- (I) shall not misrepresent one's own professional qualifications;
- (j) shall not submit fraudulent information on any document in connection with professional activities;
- (k) shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;
- (l) shall not seek a reprisal against any individual who has reported any allegation or filed any grievance.

(3) **Reasons for Immediate Termination**

A member of the faculty or staff employment may be terminated immediately if that person:

- (a) voluntarily quits his or her job, either by telling the school that he or she has resigned or by engaging in conduct that makes it apparent that he or she has quit, such as unexplained failure to report to work.
- (b) exhibits conduct unbecoming a faculty member, which includes, but is not limited to: embezzling funds or assets from the school; recklessly disclosing confidential student information; conviction of, pleads guilty to, or entering a nolo contendere plea to any felony; falsifying any employment information or records, using or possessing drugs or alcohol during work hours; and reporting to work or a school related activity under the influence of drugs or alcohol;
- ⓐ sexually harasses a student, another member of the faculty or staff, or a member of the BFCCPS community;
- (d) verbally harasses a student, another member of the faculty or staff, or a member of the BFCCPS community; **(Is this immediate dismissal or subject the progressive discipline standards)**
- (e) fails or refuses to perform his or her reasonable and customary duties set forth in the letter of agreement, fails to comply with any lawful request or director of a supervisor, or breaches any material term of the employment handbook; or

- (f) **becomes physically or mentally disabled and has used all disability benefits available to him or her pursuant to the state and Federal family and medical leave laws and is either unable to reasonably and effectively carry out his duties either with reasonable accommodations that BFCCPS provides or because the accommodations that BFCCPS would have to provide would cause the school undue hardship.** (This was set forth in Sturgis's handbook – not sure if it is lawful).

For any of the infractions set forth in Section 3 above, the Board of Directors of BFCCPS shall give the faculty member an opportunity for a formal hearing before a decision is made as to termination, which shall conform to the dictates set forth in the Open Meetings Law.

(4) **Progressive Discipline**

BFCCPS will provide fair, equitable and consistent treatment for all employees and to make certain that disciplinary action is administered to correct problems, prevent recurrences or improve performance. The severity and nature of any performance or behavioral issues that may arise will determine the course of action; verbal warning, written warning, final written warning, suspension with or without pay, or termination. **The Head of School, after conferring with the Chair of the Human Resource Committee of the Board of Trustees, may determine that it is necessary to bypass one or more steps of this process. If such is the case, the interested employee member may appeal to a neutral arbitrator selected by the Board of Trustees.**

The progressive discipline steps are as follows:

- (a) Verbal warning. Discussion outlining where performance is deficient, expectations and time frames for appropriate performance, and an outline of consequences if performance is not corrected. The Head of School shall take notes of the nature of the discussion to be included in the interested party's records for future reference. This documentation, however, shall not constitute a written warning.
- (b) Written warning. Similar content to a verbal warning. An employee will also receive formal written documentation of the problem, action steps, timetable agreed upon, and future consequences if the individual fails to complete the necessary action steps.
- Ⓣ) Final written warning. If the HOS determines that the progressive discipline steps have not resolved the performance or behavioral issues, he or she may place the employee on final written warning and may place the employee on a probationary period. The probationary period should be for a specific period of time, usually

not exceeding 60 days. As part of the terms of the probationary period, the Head of School shall set forth written expectations of achievement which the Head of School shall review with the employee. Before placing an employee on final written warning, the Head of School shall discuss the situation with the Chair of the Human Resource Committee or, if a Board member has not been named to this position, with the President of the Board, to review the situation and the documentation prepared by the Head of School. The Chair of the Human Committee or the President of the Board shall notify the members of the Board of Trustee as to this action.

- (d) Termination. Termination of employment may result after the HOS has placed an employee on Final Written warning.