

# **DAYTONA BEACH CHRISTIAN SCHOOL POLICIES AND PROCEDURES**

## **ETHICAL CONDUCT OF INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATOR**

### **PROFESSIONAL MISCONDUCT**

The following behavior may be indicative of misconduct and should be reported if you have observed any employee committing any of these acts.

- Being alone with a student in a dark or closed room or secluded area
- Behaving in an overly friendly or familiar way or failing to maintain an appropriate professional boundary with a student
- Using forceful or unnecessary physical contact with a student
- Administering discipline not compliant with school policy
- Accepting or offering of gifts for return of a favor or privilege from students or colleagues
- Badgering or habitually teasing a student
- Mocking or belittling a student
- Chronically embarrassing a student
- Displaying prejudice or bigotry against a student
- Suspicion of being under the influence of drugs or alcohol
- Failing to properly supervise students or to ensure student safety
- Cheating, falsifying information or testing violations
- Retaliating against a student or colleague for reporting misconduct
- Bantering or engaging in colloquial or slang communications with a student
- Directing or using profane, offensive, or explosive language in the presence of students
- Making lewd or suggestive comments or overtures toward a student or colleague

### **OBLIGATION TO REPORT MISCONDUCT**

If you are aware of or observe misconduct, you should report it immediately. All employees of the school have a duty to report misconduct immediately to the school administrator, Dr. Randolph W, Price at 386-760-4808.

In accordance with section 39.203, Florida Statutes, any person who reports in good faith any instance of child abuse, abandonment, or neglect to the Department of Children and Families or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

### **WHO SHOULD YOU REPORT?**

- Classroom teachers
- Substitute teachers
- Librarians
- School volunteers
- Principals, Assistant Principals

## **REPORTING OF COMPLAINTS**

The following procedures will be followed upon receipt of complaint:

- Document the activities or details of the event
- Secure evidence (if applicable)
- All allegations of misconduct by employees shall be reported promptly to the school principal.
- Any report made should contain the names of the employee and the child involved in the alleged incident. The report should include dates, times, and locations of alleged incidents and any other information the reporting person believes may be helpful with respect to the investigation.
- The principal will immediately deal with all complaints.
- The reporting of an alleged offense by an employee shall include all information relating to the complaint that is known to the principal at the time of filing.
- Failure on the part of the principal to report legally sufficient complaints as required here will result in appropriate disciplinary action that may include reprimand, suspension or dismissal.
- The principal, may or may not, contact the Christian Law Association in all matters of the school.

## **PROCESSING COMPLAINT INVESTIGATIONS**

- The school principal will direct an appropriate investigation into the matter, including the notification of law enforcement personnel, if applicable.

## **DISCIPLINE**

**PURPOSE:** To establish an equitable, progressive and effective method for assisting employees to improve their on-the-job behavior when they have violated established administrative policies and procedures or failed to maintain proper standards of conduct.

**POLICY:** Each employee is a valuable asset in which the school has made a considerable investment. Protecting this investment is best achieved by counseling and training employees in improving job performance. DBCS believes in progressive discipline whenever possible. Each employee is an individual and deserves to be treated with respect and dignity as a valuable team member. When unfortunate situations occur which require disciplinary action, employees will be counseled about the rule or policy that has been violated and advised as to how they may improve their performance.

## **PROCEDURE**

**I.** In the case of **minor breaches** of discipline or failure to maintain proper standards of conduct, the following progressive steps will be followed:

### **Step 1:**

An investigatory inquiry will be conducted. During this inquiry, the accused employee will be informed by the principal of the rule or standard violated, the need for and purpose of the rule or standard and the allegation brought against the employee. The principal should make sure the employee understands the explanation of the policies. The employee will then be encouraged to relate his point of view of the problem and given the opportunity to express the facts as he sees them. After the principal is satisfied that he knows the relevant facts and has analyzed these facts, he will inform the employee of his determination. They will include:

- A. Any expected improvement in future behavior.
- B. Assistance, if appropriate, that the principal plans to give to the employee in correcting the

problem.

- C. Any follow-up action that will be taken.

At the conclusion of the investigatory inquiry, the principal should prepare a memorandum to be placed in the employee's personnel file. It should set forth all of the material facts and consequences of the investigatory inquiry. Also, the employee should be notified that such a memorandum is being made.

### **Step 2:**

The principal will conduct an investigatory inquiry similar to that in Step 1. In addition, the principal may direct the employee to seek spiritual counseling from any member of the pastoral staff. The principal will confirm his meeting with the employee in writing, provide a copy to the employee, and place a copy in the employee's personnel file. This is to include:

- A. A statement of the problem.
- B. Identification of the rule or standard which was violated.
- C. The reason for the rule or standard and the problem caused.
- D. A summary of any other counseling sessions given within approximately a twelve (12) month period.
- E. Consequences of continued unacceptable behavior.
- F. Assistance, if appropriate, that the principal plans to give the employee in correcting the problem.
- G. The employee's commitment to make correction (if any).
- H. Follow-up action to be taken (if any).

### **Step 3: Termination**

The employee's services are to be terminated after consulting jointly with the principal, senior pastor and the deacon board. A termination letter will be given to the employee reflecting the entire disciplinary record of the employee. A copy of this letter is to be retained in the employee's personnel file.

- II. **In case of discovery of criminal behavior**, immoral behavior, fighting, or other extreme breaches of unacceptable conduct, employees may be disciplined in any appropriate manner consistent with this policy. Any deviation from the above progression steps, however, must have the prior approval of the senior pastor and the deacon board.

The ministry reserves the right to suspend employees with or without pay in those situations where in its sole judgment, a reasonable suspicion exists concerning serious violations of acceptable conduct. In these situations, the paid or unpaid administrative leave will continue until a full investigation has been made and a final decision rendered.

The ministry is committed to effectively dealing with allegations of sexual or physical abuse by a policy which requires:

- Reporting allegations of abuse to public authorities and cooperating with their investigation in accord with Florida law
- Promoting transparency and openness, within the confines of respect for the rights and the reputation of the individuals involved
- Removing offenders from their position in accord with church law when it is admitted or

established that a criminal offense of sexual or physical abuse has occurred

### **CONFIDENTIALITY AGREEMENTS**

In accordance with section 1001.42(6), it is against the policy of Daytona Beach Christian School to enter into a confidentiality agreement with employees who are dismissed, terminated, or resign in lieu of termination due to misconduct that affects the health, safety, or welfare of a student.

In accordance with section 1001.42(6), Florida Statutes, neither the school nor any employee of the school may provide instructional personnel or school administrators with employment references or discuss their performance with prospective employers from another educational setting without also disclosing the personnel's or administrator's misconduct.

In accordance with section 768.095, Florida Statutes, an employer who discloses information about a former or current employee to a prospective employer of the former or current employee upon request of the prospective employer or of the former or current employee is immune from civil liability for such disclosure or its consequences unless it is shown by clear and convincing evidence that the information disclosed by the former or current employer was knowingly false or violated any civil right of the former or current employee protected under chapter 760, Florida Statutes.

### **Alcohol, Tobacco and Drug Free Workplace**

No employee shall possess, consume, sell, distribute, dispense, use or be under the influence of any alcoholic beverage or tobacco product in the workplace or off, including all school sponsored events that may be on or off school grounds. No employee shall possess, consume, inject or ingest, sell, manufacture, distribute, dispense, use or be under the influence of, on or off the job, or in the workplace, including all school sponsored events that may be on or off school grounds, any narcotic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act and as further defined by regulations at 21 CFR 12001.11 through 1300.15 or Florida Statutes Chapter 893, without a lawful prescription.

As a condition of employment, each employee will abide by the terms of this policy and notify the Administrator of any arrest for a criminal offense within 48 hours.