

EMPLOYEE CONDUCT

The East Baton Rouge Parish School Board believes the teaching profession occupies a position of public trust involving not only the individual teacher's personal conduct, but also the interaction of the school and the community. Education is most effective when these many relationships operate in a friendly, cooperative, and constructive manner. A teacher's conduct, as well as the conduct of all employees throughout the school district, should meet acceptable standards of the community and show respect for the law and the rights of others.

All employees, volunteers, student teachers, interns, and any other person affiliated with the East Baton Rouge Parish School Board have the responsibility to be familiar with and abide by the laws of the state, the policies and decisions of the School Board, and the administrative regulations and procedures designed to implement Board policies. Employees and others shall also comply with the standards of conduct set out in this policy and with any other policies, regulations, procedures, or guidelines that impose duties, requirements, or standards of conduct attendant to their status as School Board employees.

Employees and all others shall be expected to observe at least the following standards of conduct:

- Be courteous to students, one another, and the public and conduct themselves in a professional and ethical manner.
- Recognize and respect the rights and property of students, other employees, and the public.
- Maintain confidentiality of all matters relating to students and other employees.
- Demonstrate dependable attendance and punctuality with regard to assigned activities and work schedules.
- Observe and adhere to all terms of an employee's contract or job description.
- Strive to keep current and knowledgeable about the employee's area of responsibility.
- Refrain from promoting personal attitudes and opinions for matters other than general discussion.
- Refrain from using undue influence to gain, or attempt to gain, promotion,

leave, favorable assignments, or other individual benefit or advantage.

- Advocate positive personal behavior on or off campus and attempt to avoid improprieties or the appearance of improprieties.

While the operation of the School Board and its schools is governed by the provisions of this and all other Board policies, regulations, and procedures, as well as procedures of the individual schools, no policy manual can list each and every instance of misconduct that is precluded. Accordingly, employees are cautioned that the appropriateness of certain action or behavior must necessarily be dictated by the nature of the position held by the employee and standards of common sense. By virtue of one's education and experience, an employee knows and understands that certain actions or conducts are unacceptable even in the absence of formal Board policy. For instance, without the need of a specific prohibition or warning, a classroom teacher should be aware of the impropriety of certain practices such as leaving students unattended, using profanity or sexually suggestive language, or bringing a firearm onto campus. Such conduct constitutes both incompetence and willful neglect of duty. Such conduct, as well as violation of any state or federal law or Board policies, regulations, or procedures, or school regulations or procedures, shall result in the imposition of discipline up to and including termination.

PROHIBITED SEXUAL CONDUCT

Employees shall be prohibited from engaging in any form of sexual conduct with students. In particular, it is a violation of criminal statutes for any educator, which includes any administrator, coach, instructor, teacher, paraprofessional, teacher aide, or student aide, to engage in sexual conduct, as defined in La. Rev. Stat. Ann. §14:81.4 with a student who is seventeen (17) years of age or older, but less than nineteen (19) years of age.

Notwithstanding any claim of privileged communication, any educator, having cause to believe that prohibited sexual conduct has occurred between another educator and a student, shall be required by state law to immediately report such conduct to a local or state law enforcement agency.

NOTICE OF CRIMINAL PROCEEDINGS INVOLVING EMPLOYEES

A. When an employee is arrested for committing a criminal offense (other than a minor traffic violation), that employee* **shall** be required to notify the Associate Superintendent of Human Resources of the arrest, in writing, within three (3) calendar days of the arrest. The notice must include the following information if then known:

1. the date and place of the arrest

2. the name of the arresting agency: e.g., Baton Rouge Police Department, the FBI, etc.
3. the number assigned to the arrest report
4. the laws and/or ordinances allegedly violated
5. the location and duration of initial incarceration, if any

***Any incarcerated employee may authorize another person to act on that employee's behalf in notifying or providing documents to the Associate Superintendent of Human Resources.**

- B. When a criminal prosecution is initiated in court against any employee by way of indictment, bill of information, or affidavit for committing any offense (other than a minor traffic violation), that employee shall provide the Associate Superintendent of Human Resources with a copy of the indictment, bill of information, or affidavit within five (5) calendar days of his or her arrest or service of summons. In lieu of such document(s), that employee may notify the Associate Superintendent of Human Resources of the following information in writing, within the same timeline.
1. the date of the arrest or service of summons
 2. the name of the court in which the proceedings are pending
 3. the docket number assigned to the court proceedings
 4. the laws and/or ordinances allegedly violated
- C. Within five (5) calendar days of the scheduling of any court hearing or trial in connection with the criminal prosecution, the affected employee shall give written notice to the Associate Superintendent of Human Resources of the nature or purpose of hearing or trial and the date and time the hearing or trial has been scheduled. The affected employee shall also notify the Associate Superintendent of Human Resources, in writing, within five (5) calendar days of the disposition of the matter made subject of the hearing or the trial and of what was its disposition. The affected employee shall also provide, in writing, any additional information and documents concerning the criminal prosecution, which the Associate Superintendent of Human Resources may require.
- D. In relation to A, B, or C above, the Associate Superintendent of Human Resources or designee may place the affected employee on leave considering the nature of the offense.

- E. A teacher or any other School Board employee shall report any final conviction or plea of guilty or *nolo contendere* to any criminal offense to the School Board within forty-eight (48) hours of conviction or plea.
- F. Failure to comply with any and all sections of this policy will result in disciplinary action, up to and including termination.

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Ref: 41 USC 702 (*Drug-Free Workplace*); La. Rev. Stat. Ann. §§14:81.4, 17:15, 17:81; Sylvester v. Cancienne, 95-0789 (La. App. 1st Cir. 11/9/95), 664 So.2d 1259; Howard v. West Baton Rouge Parish School Board, 2000-3234 (La. 6/29/01), 793 So.2d 153; Spurlock v. East Feliciana Parish School Board, 03-1879 (La. App. 1st Cir. 6/25/04), 885 So.2d 1225; Board minutes, 10-16-08.