

*Adopted: January 14, 2016*  
*Revised: April 25, 2022*  
*Reviewed: January 14, 2019*

## **431 CODE OF CONDUCT**

### **I. PURPOSE**

The Brooklyn Center School District recognizes each employee’s right to individual respect and dignity and is committed to establishing and maintaining a professional, respectful working environment for all employees. As a result, school personnel are prohibited from engaging in behavior that substantially interferes with a professional productive, respectful working environment, including behavior that is disrespectful, obscene, inappropriate or offensive. It is the responsibility of the administration of the School District to implement this policy and support it through positive leadership and personal example. Further, it is the responsibility of the administration to contribute to the maintenance of a work environment that is consistent with this policy.

### **II. DEFINITIONS**

School Personnel – School Board members, school employees, agents, volunteers and contractors subject to the supervision and control of the School District.

### **III. CODE OF CONDUCT**

Brooklyn Center Community Schools believes employees are role models in the community and their personal and professional conduct is under constant scrutiny. Employee demeanor expresses both the person’s integrity and/or reputation as well as that of the school system. Employees shall perform their jobs in a professional, competent, lawful and ethical manner. Expected standards include, but are not limited to:

- o Agreeing that the education and welfare of our students is the first concern of the school system.
- o Upholding the mission, vision and core values of the district.
- o Complying with all school board policies and administrative guidelines, Minnesota Department of Education rules, procedures and regulations, and federal, state and local statutes, regulations and ordinances governing public school employees.
- o Understanding that appointments to positions and promotions are required to be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- o Maintaining just, courteous, and professional relationships with students, parents, staff members and others.
- o Reporting situations of which the employee is aware involving inappropriate conduct of staff with students, parents, staff members and others and complying with all district

investigations.

o Utilizing efficiency in techniques and keeping abreast of the latest developments in their fields of work.

o Transacting of all official business with the properly designated authorities of the school system.

o Refraining from school usage of connections and privileges as a public forum or in connection with school instruction or other school activities to promote partisan politics, sectarian religious views, or propaganda of any kind.

o Using constructive criticism made directly to the particular school employee with the administrative authority to improve the situation, and then to the Superintendent, if necessary.

o Communicating positively about the school district at all times even in a negative context.

o Properly using and protecting of all school property, equipment, staff time and materials.

o Maintaining strict professional confidentiality in all school related matters.

o Demonstrating conduct which exemplifies high ethical and moral standards and which sets a good example for others.

o Soliciting or accepting any gifts, favor, reward, service or promise of reward, including a promise of future employment, in exchange for recommending, influencing or attempting to influence the award of a contract is expressly prohibited.

The absence of law, policy or regulation covering a particular situation does not relieve an employee from the responsibility to exercise the highest ethical standards at all times. Employees should avoid conduct, actions, and appearances unbecoming to an education professional, or which bring disrepute on the schools.

#### **IV. STUDENT INTERACTIONS**

Pertaining to students, all employees will:

1. not discriminate against any student on the basis of race, color, national origin, ethnicity, sex or gender, pregnancy, sexual orientation, gender identity, physical or mental handicap, serious medical condition, disability, or spousal affiliation nor permit students within the employee's control, supervision or responsibility to do so;
2. avoid using their position as a school employee to exploit a student or influence a student to engage in an illegal act, immoral act, or any other behavior that would subject a school employee or student to discipline for misconduct whether or not the student actually engages in the behavior;
3. refrain from fraternizing with students outside the context of school or school-sponsored activities, and tutor students only in accordance with Board policies, if any, upon obtaining written permission from the student's parent/legal guardian, and at a place or time approved by the employee's supervisor and the student's parent/legal guardian;

4. refrain from giving any gift to any student unless all similarly-situated students receive or are offered the same gift for the same reason;
5. not use their positions, their influence, or their authority over students to make personal demands upon students unrelated to the purposes of their education. Employees shall not become intimately involved with students, shall not engage in or respond to romantic, sexually oriented, or other intimate relations, or activities with students, nor participate in any unethical behaviors or conduct with them prohibited by the Board of Education's policies;
6. refrain from lending a student money except in instances of emergencies, or in which a student's safety or wellbeing may otherwise be threatened, or the student will otherwise be unable to participate in a school activity, and all such instances and the reason for the action shall be reported to the employee's supervisor as soon as practicable;
7. avoid inappropriate contact with students - regardless of time or location - including, but not limited to:
  - a) all forms of sexual contact, and sexual or romantic relations;
  - b) inappropriate physical contact, embracing, petting, hand-holding, or kissing;
  - c) favoritism in regard to boys or girls; and
  - d) offering or giving a ride to a student unless absolutely necessary to the student's safety or wellbeing, and all such instances shall be reported to the employee's supervisor as soon as practicable;
8. report any instances to the Superintendent or any School District administrator in which the employee reasonably suspects that another employee has engaged in sexual or physical contact prohibited by this Policy with a student, or that any other adult has engaged in sexual contact with a minor student;
9. abide by the prohibitions of any federal or state statute, which imposes felony sanctions for a school employee who has had sexual relations with a student less than eighteen years of age;
10. become familiar with and abide by School Board policies related to inappropriate contact with students and sexual harassment of students by employees or by students, avoid sexual harassment of students, and not permit students within the control, supervision or responsibility of the employee to sexually harass any other student, such as by any verbal or physical conduct of a sexual nature with a student -- including any sexual advances or requests for sexual favors, and use of any sexually oriented names or references -- even when the employee believes the student is initiating or consents to such conduct, and avoidance of any possession, display, or distribution of sexually-

oriented materials or information at school except any that are part of the curriculum;

11. report to the administration any instance in which the employee suspects that a student has been subjected to sexual harassment at school, during school- sponsored activities, or during school transportation to or from such activities;
12. avoid any unauthorized or inappropriate discipline of a student or corporal punishment in excess of, or contrary to, Board policy, and under no circumstances shall corporal punishment be such that it injures a student, and, in interactions with students:
  - a) control anger, de-escalate conflicts and confrontations, avoid loss of temper, and refrain from any form of physical or verbal abuse of students, except reasonable physical intervention limited to restraint of students actively engaged in, or threatening, physical violence or harm toward himself or herself, other staff members, or other students, and instances of such physical restraint shall be reported to the administration as soon as practicable;
  - b) refrain from using or tolerating on school premises, while at any school activity, and during school transportation to or from any school activity, the use of vulgar, profane, or personally offensive terms, names or nicknames, racial, ethnic, or sexual epithets, and racially, ethnically, or sexually insensitive terms, racial, ethnic, or sexual jokes or slurs, crude anatomical references, other offensive, profane or abusive verbal or non-verbal communications;
  - c) obtain written supervisory approval with regard to particular words, terms, or other communications the employee uses or proposes to use that are or may be otherwise prohibited by this policy;
  - d) avoid being provoked into a response barred by this policy, by student conduct or communications;
13. avoid engaging in violent or threatening behavior toward students, regardless of provocation, except when required for the immediate defense from serious physical harm of the employee, another student, staff member, or authorized person on school premises.

## **V. PROTOCOLS**

A. School personnel may report concerns or complaints pursuant to this policy to the School District. While written reports are encouraged, a complaint may be made orally. For school personnel other than School Board members, the complaint should be made to a supervisor, administrator or the Director of Human Resources. Any school personnel receiving a complaint shall advise the immediate supervisor, the Director of Human Resources or the Superintendent of the complaint.

B. In the case of a concern or complaint against a School Board member, the oral or

written report should be made to the School Board Chair, either by the complaining party, or if the complaint is made to a supervisor or administrator, the School Board Chair shall be advised of the complaint. In case of a concern or complaint against the School Board Chair, the oral or written report should be made to the HR Committee or jointly to the Vice Chair and the Superintendent.

C. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or follow-up procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the Superintendent who shall determine what type of investigation should be conducted. The Superintendent shall determine the nature and scope of the investigation and designate the person responsible for the investigation or follow-up relating to the complaint. The designated investigator shall ascertain details concerning complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.

D. The appropriate administrator shall respond in writing to the complaining party concerning the outcome of the investigation of follow-up, including any appropriate action or corrective measures that were taken. The Superintendent shall be copied on the correspondence and consulted in advance of the written response when appropriate. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of Minnesota Statutes, 13 (Minnesota Government Data Practices Act) or other law.

E. Complaints which fall under School District Policy No. 413: Harassment and Violence, should be filed pursuant to that policy.

F. The School District will take appropriate action with any school personnel who retaliates against any person who makes a good faith report pursuant to this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

***Legal References:***

Minn. Stat. § 13 (Minnesota Government Data Practices Act)

***Cross References:***

Policy 403 Discipline, Suspension and Dismissal of School District Employees  
Policy 413 Harassment & Violence Policy  
Policy 308 Chain of Command  
Policy 418 Drug Free Workplace  
Policy 423 Employee Student Relationships