

KEY POLICIES & PROCEDURES

All employees are required to be knowledgeable of all Board Policies. Contained in this module are several key policies, which help to ensure a safe, secure environment for all students, staff, and visitors to our campuses. In addition, all employees should be advised that failure to adhere to these – and other policies – may result in a wide variance of consequences, up to and including termination and possibly even criminal prosecution.

Please take the time to know and understand these policies and how to report violations of policy.

Policies contained in this module include those listed below:

Board Policy 3124 – Drug Free Workplace

Board Policy 3213 – Student Supervision and Welfare

Board Policy 3362 – Anti-Harassment

Board Policy 8462 – Child Abuse and Neglect

Board Policy 8700 – Anti Fraud

Board Policy 3124 - Drug-Free Workplace

The Board recognizes that substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Substance abuse causes impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, higher health care costs, and diminished interpersonal relationship skills. The Board commits to create and maintain a drug-free workplace ([School Board Policy 3124](#)).

The use of illegal drugs, the abuse of alcohol, and the misuse of prescription and over-the-counter drugs are unacceptable. The Board shall clearly communicate this message to its instructional staff. You are prohibited from working for Brevard Public Schools or being on any district property while under the influence of illegal drugs, or under the influence resulting from the improper use of legal drugs. You may not promote student use of illegal drugs or the improper use of legal drugs at any time. Any employee convicted of any criminal drug statute violation that occurred in the work place must notify their supervisor no later than 48 hours after such a conviction.

You must be free of alcohol or drug intoxication when on duty or on district property. Employees are prohibited from the manufacture or use of alcoholic beverages while on School Board property or while on duty. Employees on duty will not use or take prescription drugs above the level recommended by the prescribing physician and are prohibited from using prescribed drugs for purposes other than the intended purpose. Employees may not distribute or dispense drugs, except as required as part of their job description.

Circumstances under which drug testing may be required include, but are not limited to:

- A. pre-employment physical exams;
- B. observed use of illegal drugs and/or abuse of alcohol during work hours;
- C. apparent physical state of impairment of motor functions;
- D. marked changes in personal behavior on the job not attributable to other factors;
- E. an injury on the job;
- F. employees and/or job applicants who lawfully operate a commercial motor vehicle in the course of employment.

Alcohol, prescription, and over-the-counter drugs are generally safe and acceptable when used according to proper instruction. Abuse of legal drugs over time or used in combination with another substance can result in chemical dependency or poly-drug addiction.

- A. Employees will be free of alcoholic or drug intoxication when on duty or on Board property. Employees are prohibited from the manufacture or use of alcoholic beverages while on Board property or while on duty with the Board.
- B. Employees on duty will not use or take prescription drugs above the level recommended by the prescribing physician and are prohibited from using prescribed drugs for purposes other than the intended purpose. Employees will not distribute or dispense drugs, except as provided in Board Policy [5330](#) - Use of Medications.

Disciplinary action may be instituted against employees who have violated standards of conduct cited in this guide, and who the Board believes will not be assisted by rehabilitation or who the Board believes will have or have had a negative impact on students and/or staff, pursuant to Board policy, applicable Florida statutes, or State Board of Education rules.

The Board offers an Employee Assistance Plan to assist employees who may be struggling with dependency on any substance.

Board Policy 3213 - Student Supervision & Welfare

Each staff member shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities which include but are not limited to:

- A. Staff members shall report immediately to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. Staff members shall provide proper instruction in safety matters as presented in assigned course guides.
- C. Staff members shall immediately report to a building administrator knowledge of threats of violence by students.
- D. Staff members shall not send students on any non-school related errands.
- E. Staff members shall not inappropriately associate with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and discipline up to and including termination of employment.
- F. Staff members shall not knowingly distribute to a minor any material that is obscene and harmful to minors, as defined in F.S. 847.012, in any format and/or by any manner. Staff members who knowingly distribute any such material to a minor also commits a felony under State law, and is subject to disciplinary action up to and including termination.
- G. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.

Parents shall be informed of the matter, unless the student requests otherwise.
- H. Staff members shall not transport students in a private vehicle without the approval of the principal or building official.

- I. A student shall not be required to perform work or services that may be detrimental to his/her health.
- J. Staff members are discouraged from engaging students in social media and online networking media, such as Facebook, Twitter, MySpace, etc.
- K. Staff members are expressly prohibited from posting any video or comment pertaining to any student on social network sites or similar forums, such as YouTube.

Since most information concerning a child in school, other than directory information described in Policy [8330](#), is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy [8462](#), each instructional staff member shall report to the proper legal authorities immediately any sign of suspected child abuse or neglect.

Board Policy 3362 – Anti-Harassment

It is the policy of the Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board

The Superintendent has appointed a compliance officer who is responsible for ensuring compliance with Federal and State regulations and that any complaints are dealt with promptly and in accordance with law. The compliance officer shall also ensure that proper notice of nondiscrimination related to the Civil Rights Act, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Age Discrimination in Employment Act is provided. Any sections of the District's bargaining unit agreements dealing with hiring, promotion, and tenure shall contain a statement of nondiscrimination. A required Non-Discrimination Notice shall appear on all district publications.

Harassment includes any slurs, innuendoes or other verbal or physical conduct reflecting on an individual's race, religion, color, sex, national or ethnic origin, marital status, disability, or handicap which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities.

The Americans with Disabilities Act makes it unlawful for an employer to discriminate against a qualified individual with a disability. To be protected by this act you must be substantially limited in one of life's major activities such as seeing, hearing, speaking, walking, and caring for yourself. You must be able to perform your job on your own or with the help of a reasonable accommodation. A reasonable accommodation is a change or adjustment to a job or work environment that allows a disabled individual to perform the essential functions of his or her job.

Sexual harassment is a form of discrimination. Under certain circumstances, sexual harassment may constitute sexual abuse under federal law and Florida Statutes. In all such cases, school personnel will comply with Florida Statute and take immediate action to protect the victim of alleged abuse.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Any employee who is found to have knowingly filed a false sexual harassment complaint will be subject to discipline by the school district. He or she may also be held personally liable for his or her misconduct through civil suit by the injured employee and may also be criminally prosecuted.

Retaliation against anyone reporting or thought to have reported sexual harassment behaviors is prohibited. Such retaliation shall be considered a serious violation of our policies and shall be considered independent of whether a charge or informal complaint of sexual harassment is substantiated.

Any employee or applicant for employment who believes that he or she has been the subject of discrimination or harassment may file a grievance according to established procedures that are on the website at the address shown on the screen.

Please refer to [School Board Policy 3362](#) (Anti-Harassment) for detailed information.

Child Abuse Reporting – REQUIRED by Board Policy 8462

In compliance with Board policy and State statute, all staff members are required to report to the proper legal authorities any sign of child abuse or neglect. The child may suffer from physical abuse and neglect, sexual abuse, and/or emotional maltreatment. Physical abuse is the non-accidental, physical injury of a child; physical neglect is the failure to provide proper prenatal care, support medical attention, and education for a child; sexual abuse is any indecent sexual activity; and emotional maltreatment is failure to provide warmth, attention, supervision, and/or normal living experiences for a child.

Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the department's central abuse hotline. Such reports may be made on the single Statewide toll-free telephone number or via fax or web-based report.

School teachers, other school officials and school personnel are in the category of required reporters. When calling, you must be able to articulate your suspicions.

Child Abuse Reporting – 1-800-962-2873

Child Abuse Reporting Form: [CLICK HERE](#)

School teachers or other school officials and personnel are required to provide their names to the hotline staff. The names of reports shall be entered into the record of the report, **but shall be held confidential** and exempt. Information in the central abuse hotline may not be used for employment screening, but information in the central abuse hotline may be used by the department, its authorized agents or contract providers, the Department of Health, or county agencies as part of the licensure or registration process.

A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, is guilty of a misdemeanor of the first degree. A person who knowingly and willfully makes a false report of child abuse, abandonment, or neglect, or who advises another to make a false report, is guilty of a felony of the third degree.

If you have made a call to report such activity, please IMMEDIATELY notify your Principal or Supervisor. **DO NOT conduct any interviews, do not call guardians, and do not initiate an investigation.**

Please refer to [School Board Policy 8462](#) for more information.

For New Employees ONLY

All school-based instructional and administrative personnel, as well as some district-based personnel, are required to complete the **Child Abuse Training and Reporting** course. This course is a one-time requirement per Florida Statute § 1012.98(12). However, all staff new to Brevard Public Schools in the classifications below will be required to take the course this fall: (Information will come from the office of Student Services)

1. Prek-12 Teachers;
2. Certified school counselors;
3. Guidance services professionals;
4. School psychologists;
5. Behavior analysts;
6. Social workers;
7. Resource teachers for attendance;
8. Principals;
9. Assistant principals; and
10. Deans

Board Policy 8700 - Anti-Fraud

The Board is committed to protecting its financial resources, property, information, and other assets. The Board will not tolerate the commission of fraud or the concealment of fraud by any employee. The purpose of the policy is to establish certain principles for, and expectations of, District employees in order to prevent fraud, provide for the investigation of suspected fraud, provide for consequences for engaging in any manner of fraud, and to heighten awareness of possible fraud.

This policy applies to any fraud, suspected or observed, involving any District employee, substitute employee, volunteer, and any other persons or parties in a position to commit fraud on the Board, regardless of the suspected wrongdoer's length of service or position/title, office, or relationship.

Any known or suspected fraud shall be reported immediately to the Superintendent. If the allegation involves the Superintendent, the report shall be made to the General Counsel. The obligation to report fraud includes instances where an employee knew or should have known that an incident of fraud occurred.

Violation of this policy may result in termination or some lesser penalty, including but not limited to suspension without pay or reprimand. Failure to report fraud shall be grounds for discipline up to and including termination and reporting to the Professional Practices Services with the Florida Department of Education as required by law. A false and malicious allegation of fraud is a violation of this procedure and shall be grounds for disciplinary action up to and including dismissal.

The Superintendent, through his/her designee, shall cause an investigation to commence with regard to reports of fraud. The investigation shall follow the same procedures for any other investigation of employee misconduct. The investigation may involve a coordinated effort by District personnel and law enforcement. It may also involve attorneys, security personnel, and other specialists from inside or outside the District.

Complaints can be made through the Ethics Hotline – 633-1000 ext 11170 or by completing the Ethics Complaint Form.

Please refer to [School Board Policy 8700](#) for more information.