

Prohibited Behavior

Bayshore Christian School does not, and will not, tolerate harassment of our employees, applicants for employment, or our students. Conduct characterized as harassment as defined below is prohibited.

For purposes of this policy the term harassment includes any threatening, insulting, or dehumanizing act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronically generated, or physical nature directed against an employee or student that:

1. Demeans a person;
2. Places a BCS employee or student in reasonable fear of harm to his/her person or damage to his/her property;
3. Has the effect of substantially interfering with a BCS employee's job performance, opportunity or benefits;
4. Has the effect of substantially interfering with a BCS student's educational performance, opportunities, or benefits; or
5. Has the effect of substantially disrupting the orderly operation of the school.

Sexually harassing behavior in particular includes unwelcome conduct such as: sexual advances, requests for sexual favors, offensive touching, verbal or physical conduct of a sexual nature, and the possession and/or transmission of written or electronic material of a sexual nature. Such conduct may constitute sexual harassment when it:

1. Is made an explicit or implicit condition of employment;
2. Is used as the basis for employment decisions;
3. Unreasonably interferes with an individual's work performance; or
4. Creates an intimidating, hostile or offensive working environment.

Policy Prohibiting Harassment

Bayshore Christian School strives to maintain an environment free from harassment, where employees treat each other with respect, dignity, and courtesy. This policy applies to all phases of employment.

Complaint, Procedure, and Investigation

Any employee who wishes to report a possible incident of harassment should promptly report the matter to the Head of School, Mrs. Melanie Humenansky. If you believe it would be inappropriate to contact the Head of School, you may contact the President of the School Board, Bishop Kevin Donlon at kdonlon@bayshorechristianschool.org.

Bayshore Christian School will conduct a prompt investigation in as much confidentiality as possible given the circumstances. Employees who raise concerns and make reports in good faith can do so without fear of reprisal. At the same time, employees have an obligation to cooperate with BCS administrators and School Board in enforcing this policy and investigating and remedying complaints. Any employee who becomes aware of possible harassment against others should promptly advise the head of school or any other appropriate BCS administrator. Anyone found to have engaged in such wrongful behavior will be subject to appropriate discipline, which may include termination.

Retaliation

Any employee who files a complaint of harassment in good faith will not be adversely affected in terms and conditions of employment and will not be retaliated against or discharged because of the complaint.

In addition, we will not tolerate retaliation against any employee who, in good faith, cooperates in the

investigation of a complaint. Anyone who engages in such retaliatory behavior will be subject to appropriate discipline, up to and including termination.

Drug and Alcohol Program Policy

BCS has established a Drug Free Workplace Program, implemented pursuant to the Drug Free Workplace Program requirements under Florida Statute 440.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration. This program policy may be seen in full in Appendix A to this handbook.

In general, BCS employees are prohibited from using any illegal drug (including the non-prescribed use of prescription medication) or abusing alcohol on or off BCS premises. Employees are prohibited from using illegal drugs or alcohol while acting within the scope of their employment, both on or off campus. Employees are prohibited from possessing or transporting alcohol or illegal drugs on the premises. Finally, possession of paraphernalia used in connection with the use of any prohibited drug is evidence of violation of this policy.

BCS will require all applicants for employment, and all existing employees (under fitness for duty examinations, reasonable suspicion examinations, and random testing schedule examinations), to be tested for the presence of drugs or alcohol as part of this company's policy prohibiting drug or alcohol use. An employee violates the Drug Free Workplace Program by testing positive in a confirmed test for drugs. Refusal to cooperate in the drug testing procedure is an independent violation of this rule and accordingly, will be treated as a positive confirmed test for drugs. Upon conviction for violating any state or federal drug law, each BCS employee is required to notify the Head of School of such conviction within five days thereof. This "notification of drug conviction" requirement applies whether the conviction resulted from conduct performed while in the course and scope of employment, on or off duty. BCS employees are required to report any drug related criminal charge brought against them, whether the result of on-duty or off-duty conduct.

Any violation of this rule will result in disciplinary measures exercised at the discretion of BCS administration and/or school board. Such disciplinary measures may include discharge and possible forfeiture of workers' compensation medical and indemnity benefits.

The above constitutes an abbreviated description of our Drug Free Workplace Program Policy. For a complete, detailed description of the policy, please refer to Appendix A attached hereto.

Abuse Prevention Policy

It is the purpose and intent of BCS to provide a safe, secure environment for our students. BCS will make every reasonable effort to protect each student from conditions that affect a student's health, safety or welfare. To this end, BCS has an active Abuse Prevention Policy which is attached to this handbook as Appendix B.

In general, the Abuse Prevention Policy will apply to all BCS employees who give supervision or have custody of minors or who have opportunity to have contact with minors in BCS facilities or sponsored activities. The policy addresses four areas that are critical for the protection of our students, employees, and school: Selection Process, Protection Policy, Reporting Procedures, and Responses to Allegations.

The above constitutes an abbreviated description of our Abuse Prevention Policy. For a complete, detailed description of the policy, please refer to Appendix B attached hereto.



ABUSE PREVENTION POLICIES AND PROCEDURES

Purpose: It is the purpose and intent of Bayshore Christian School (BCS) to provide a safe, secure environment for our students.

Goal: To make every reasonable effort to protect each student from conditions that affect a student's health, safety, or welfare.

The policy and procedure set forth will apply to all people who give supervision or have custody of minors or who have opportunity to have contact with minors in BCS facilities or sponsored activities. This policy will address four areas that are critical for the protection of our students, our employees, and our school: Selection Process, Protection Policy, Reporting Procedures, and Responses to Allegations.

1. Selection Process

- a. Current employee
 - i. Complete a confidential application form (if not already on file)
 - ii. Complete a consent to release confidential information (if not already on file)
 - iii. Background records check
 - iv. Possible criminal records check (may include drug testing via urine sample)
- b. New employee (effective April 1, 2014)
 - i. Complete a confidential application form
 - ii. Complete a consent to release confidential information
 - iii. Background records check
 - iv. Personal interview with appropriate BCS staff member
 - v. References checked and verified
 - vi. Received appropriate clearances on all checks to work with minors
 - vii. Criminal records check, to include drug testing via urine sample

All records, forms, and reports will become a part of the employee's confidential personnel file.

- c. Volunteer (effective May 1, 2014)
 - i. Complete a confidential volunteer application form
 - ii. Complete a consent to release confidential information
 - iii. Background records check
 - iv. Interview by appropriate BCS staff member
 - v. Possible criminal records check

2. Protection Policy

- a. More than one single BCS staff member will be present, or nearby, and available in areas where minors are present. Reasonable efforts will be made to ensure that one adult is not left alone with one minor.
- b. Reasonable efforts will be made to place students in rooms with plain view windows or doors for school related activities.
- c. Extra-curricular activities
 - i. All BCS employees are required to comply with all BCS policies, including, but not limited to, those outlined in the Abuse Prevention Policies and Procedures, during

BCS sponsored events. Such events to include over-night activities, within town activities, and out-of-town activities.

- ii. All student participants should have written parental consent and a notarized medical release form on file. Consent and medical release forms may be completed for a one-year period and should be renewed annually. All consent forms will be considered valid until renewed.

3. Reporting Procedures

- a. All BCS employees have an obligation to report misconduct by BCS staff and school administrators which affects the health, safety, or welfare of a student. Examples of misconduct include, but are not limited to, obscene language; drug and alcohol use; disparaging comments; prejudice or bigotry; sexual innuendo, advances, or contact; cheating or testing violations; physical aggression; and accepting or offering favors.
- b. Reports of misconduct by employees should be made to a BCS administrator.
- c. Reports of misconduct by administrators should be made to the BCS Head of School.
- d. Reports of misconduct by BCS Head of School should be made to the president of the BCS School Board.
- e. Policies and procedures for reporting misconduct by staff and administrators which affect the health, safety, or welfare of a student are posted in the school office and on the school website at www.bayshorechristianschool.org.
- f. All employees and agents of BCS have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect. Call 1.800.96.ABUSE or report online at <http://www.dcf.state.fl.us/abuse/report/>.
 - i. Signs of physical abuse: The child may have unexplained bruises, welts, cuts, or other injuries; broken bones; or burns. A child experiencing physical abuse may seem withdrawn or depressed, seem afraid to go home or may run away, shy away from physical contact, be aggressive, or wear inappropriate clothing to hide injuries.
 - ii. Signs of sexual abuse: The child may have torn, stained or bloody underwear, trouble walking or sitting, pain or itching in genital area, or a sexually transmitted disease. A child experiencing sexual abuse may have unusual knowledge of sex or act seductively, fear a particular person, seem withdrawn or depressed, gain or lose weight suddenly, shy away from physical contact, or run away from home.
 - iii. Signs of neglect: the child may have unattended medical needs, little or no supervision at home, poor hygiene, or appear underweight. A child experiencing neglect may be frequently tired or hungry, steal food, or appear overly needy for adult attention.
 - iv. Patterns of abuse: serious abuse usually involves a combination of factors. While a single sign may not be significant, a pattern of physical or behavioral signs is a serious indicator and should be reported.

4. Responses to Allegations

- a. All allegations (both oral and written) will be taken seriously and BCS administrators will take appropriate action in accordance with the laws of the State of Florida, BCS Faculty and Staff Handbook, BCS Student Handbook, insurance policy requirement, and advice of legal counsel.
- b. BCS staff will document in writing all efforts in the handling of any incident.
- c. As a general rule, Bayshore Christian School, its administrators, employees, agents, volunteers, and board maintain a zero tolerance for internal misconduct that affects the health, safety, or welfare of a student. Anyone violating this policy will be subjected to

appropriate remedial actions at the sole discretion of BCS administrators and/or school board. Such actions may include, but are not limited to, discharge of employment status. Such discharge will immediately constitute an appropriate dissolution of employment contract, with any and all future obligations by the school under such contract to immediately cease.

5. Liability Protections

a. **Immunity from liability in cases of child abuse, abandonment, or neglect.** (F.S. 39.203)

1.a. Any person, official, or institution participating in good faith in any act authorized or required by this chapter, or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

1.b. Except as provided in this chapter, nothing contained in this section shall be deemed to grant immunity, civil or criminal, to any person suspected of having abused, abandoned, or neglected a child, or committed any illegal act upon or against a child.

2.a. No resident or employee of a facility serving children may be subjected to reprisal or discharge because of his or her actions in reporting abuse, abandonment, or neglect pursuant to the requirements of this section.

2.b. Any person making a report under this section shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting party by reason of his or her making such report. Any detrimental change made in the residency or employment status of such person, including, but not limited to, discharge, termination, demotion, transfer, or reduction in pay or benefits or work privileges, or negative evaluations within a prescribed period of time shall establish a rebuttable presumption that such action was retaliatory.

b. **Employer immunity from liability; disclosure of information regarding former or current employees.** (F.S. 768.095)

1. 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 F.S. Chapter 760.