

## **EMPLOYEE CODE OF ETHICS**

(Attachment for Policy No. 300)

The Board of Education (“Board”) of the School District of Philadelphia (“District”) has a paramount vision: “The School District of Philadelphia will deliver on the right of every child in Philadelphia to an excellent public school education and ensure all children graduate from high school ready to succeed.” To make this ambitious vision a reality, all District employees (collectively referred to as “we,” “us,” or “employees” throughout this document) must pursue excellence in everything we do, with the understanding that our highest priority is educating and developing students. Further, because we are public servants entrusted with a critical mission, we must build and preserve public confidence by performing our roles with integrity and ethics.

### **Key Ethical Principles**

The purpose of this Code of Ethics (“Code”) is to describe these high-level ethical principles that must govern us in performing our roles:

1. Conduct activities in full compliance with the law, this Code, and District policies and procedures;
2. Interact respectfully and fairly with all co-workers, students, ~~and~~ families, and community members;
3. Protect all confidential information;
4. Be honest and forthright;
5. Use District resources and positions only for District purposes;
6. Maintain integrity of school time and property and avoid use of District resources for inappropriate political purposes;
7. Avoid even the appearance of improper influence or potential conflict of interest, paying special attention to the following:
  - a. gifts and favors,
  - b. employment of family members by the District,
  - c. spending and contracting activities,
  - d. paid work during District employment,
  - e. paid work after leaving District employment, and
  - f. financial interest statements; and
8. Report any suspected improper conduct.

### **Application**

The remainder of this Code provides more specific practical guidance to all employees of the District. Some detailed standards and examples of “do’s and don’ts” are included for the sake of clarity. However, this Code is not a rule book and cannot provide a complete listing of every possible situation related to the key principles or a clear answer to every question we might have about them.

We are expected to use good judgment to satisfy the spirit of this Code of Ethics. When facing decisions, we should take these steps to get the appropriate results:

- Think about the situation at hand and whether it raises possible ethical issues;
- Refer to this Code, any governing law, and District policies and procedures for guidance;
- If needed, get additional guidance from a supervisor or the General Counsel's Office at (215) 400-4120 or [Ethics@philasd.org](mailto:Ethics@philasd.org); and
- Make and carry out a decision that is consistent with the guidance and reflects integrity.

We are expected to review the Employee Code of Ethics at least annually. Employees who do not review the document are still bound by the duty to comply with this Code, which is mandatory for all of us.

### **Enforcement**

Alleged violations of this Code of Ethics are subject to investigation and employees are obligated to cooperate in investigations by providing relevant information and documentation upon request. Violations of the Code may result in administrative or disciplinary action up to and including dismissal, as well as referral to appropriate authorities for civil action and/or criminal prosecution. Nothing in this Code precludes application of legal rights or contractual rights under relevant collective bargaining agreements.

### **Definitions**

For purposes of this Code, terms are defined as follows:

**Relative:** A father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister-in-law, brother-in-law, daughter-in-law, son-in-law, uncle, or aunt.

### **Employee Behavior**

1. *CONDUCT ACTIVITIES IN FULL COMPLIANCE WITH THE LAW, THIS CODE, AND DISTRICT POLICIES AND PROCEDURES*

We must perform our duties in a way that complies with all relevant federal, state, and local laws and regulations, and also with all requirements set by the District through this Code and District policies and procedures (some of which provide detailed rules supporting high-level principles covered by this Code). We each need to be aware of the legal and District requirements that apply to the individual jobs we do. Some laws that relate directly to the District's educational and public service missions, and therefore apply to many of our activities, include the following:

- Pennsylvania Public School Code of 1949, as amended;
- Pennsylvania Public Official and Employee Ethics Act;
- Pennsylvania Code of Professional Practice and Conduct for Educators;

- Pennsylvania Professional Educator Discipline Act; and
- Family Educational and Privacy Rights Act.

Employees who are unsure whether certain legal or District requirements apply to them or to specific situations should ask for advice from a supervisor or the Office of General Counsel.

## 2. *INTERACT RESPECTFULLY AND FAIRLY WITH ALL CO-WORKERS, STUDENTS, FAMILIES, AND COMMUNITY MEMBERS*

To create a collegial workplace for ourselves and a safe and engaging learning environment for our students, we must treat others with respect and dignity. In practice, this means consistently acting, speaking, and dressing professionally, and avoiding inappropriate behaviors or interactions with co-workers, students, parents and other family members, and community members.

In particular, we cannot engage in conduct or use language that could be reasonably interpreted as abusive, hostile, intimidating, coercive, discriminatory, harassing, or exploitative. We cannot refer to anyone else's race, color, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, or disability in a negative or joking way in any job-related situation. [1]

Dating relationships or sexual contacts of any kind between employees and students are strictly forbidden. Furthermore, employees should also avoid engaging in activities that could be construed as "grooming behavior" that may lead to an inappropriate relationship between employees and students. Examples include, but are not limited to, spending personal time with a student one-on-one outside of the school building or school hours or interacting with a student using a personal social media account. [2]

In addition, dating relationships or sexual contacts between supervisors and those whom they supervise are strictly forbidden.

We must be fair and impartial in exercising our job-related authority. In practice, this means treating co-workers, students, and families equitably, without improper bias or favoritism, and applying policies and procedures consistently. This includes making all employment-related decisions in compliance with applicable equal employment opportunity laws and regulations. This also includes being objective when taking official actions affecting students or families, such as assigning grades, making formal assessments, determining eligibility for programs, providing access to classes, or selecting participants in extra-curricular activities.

## 3. *PROTECT ALL CONFIDENTIAL INFORMATION*

We must protect confidential, private, or sensitive information or records that we receive

in the course of our jobs, including information or records relating to students or their families or to District staff or operations. This duty continues after we stop working with the District.

We must not disclose confidential information or records to anyone inside or outside the District except as properly authorized or required to perform our responsibilities. All disclosures must comply with applicable laws, confidentiality agreements, and District policies and procedures.

We also must not use confidential information or records to advance our own or others' private interests, financial or otherwise. For example, we cannot give a friend non-public information in order to help the friend's business succeed in a competitive bidding process for District business.

#### 4. *BE HONEST AND FORTHRIGHT*

We must be honest in order to earn and keep the public's trust. In practice, this means avoiding any form of fraud, falsification, misrepresentation, or deception in the statements we make and the records we keep while doing our jobs. We must also be forthright and candid in providing complete, accurate, and timely information to help others do their jobs.

We must not participate in or allow any form of academic cheating, including anything intended to distort grades or assessments, give students an unfair advantage on examinations or evaluations, or indicate false completion of credits or coursework that the student did not successfully complete.

District employees shall cooperate fully with representatives of the District's Office of Inspector General by providing complete, truthful, and accurate information as well as the necessary assistance, including the provision of any requested materials and documents, in matters being investigated. [3]

#### 5. *USE DISTRICT RESOURCES AND POSITIONS ONLY FOR DISTRICT PURPOSES*

We are trusted stewards of limited public resources, so we must use the District's property and our positions only for proper District purposes. This includes spending District funds, including funds raised through allowable fundraising activities, and using District assets responsibly, in line with the District's priorities and policies. We must safeguard and account for all funds collected, including those generated through fund raising activities and all funds associated with Student Activity Funds.

We must not use or allow others to use District property (including facilities, equipment, technology, supplies, and records such as mailing lists) for any unapproved or private purpose. We must comply with District policies and procedures on acceptable use of

computing and internet resources. [4][5]

The paid time and services of employees are assets of the District to be devoted to its business. We must not misuse District time by conducting non-District business during assigned work hours, or allowing other employees to do so. Non-District business includes attending to personal or family matters, performing or promoting services compensated by any person or entity other than the District, and campaigning or raising money for any political candidate or cause.

In addition, we must not use our positions to get a private benefit for ourselves or someone else that would not otherwise be publicly available. This includes not using our titles, badges, or official letterhead, or even referring to our positions with the District, to influence matters unrelated to District business.

6. *MAINTAIN THE INTEGRITY OF SCHOOL TIME AND PROPERTY WITH RESPECT TO POLITICAL USES*

We must remember that District property and school time may not be used for political purposes. [6] We must protect school buildings from being used as campaign forums, including campaign visits by elected officials and candidates for public office, including the President and Vice President of the United States.

We know that visits by elected officials and candidates for elected office serve an important educational function in that they expose students to persons and views with which they should become familiar as informed and responsible citizens who either vote now or will vote some day. We must work to make sure such visits enhance the educational experience of our students and do not become political events.

7. *AVOID ANY IMPROPER INFLUENCE OR POTENTIAL CONFLICT OF INTEREST*

We must use independent judgment as we perform our duties for the District, handling all District matters objectively on their merits, without being affected by any improper influence or conflict of interest. A potential conflict of interest can arise whenever consideration of our own personal, family, or financial interests could impact the actions we take or decisions we make while doing our jobs. Family interests include the interests of any of our Relatives. Any relationship by marriage is treated the same as relationship by blood.

We must actively avoid situations that might give rise to possible conflicts between our professional responsibilities, on the one hand, and our private interests, on the other. This means that we cannot recommend, participate in, or attempt to influence any District action or decision in which we have a personal, family, or financial interest that is different from that of the general public. Employees are expected to inform their supervisor of potential conflict of interest as soon as it arises.

The subsections below provide high-level principles to address common situations that can create improper influence or conflicts of interest if not properly managed. Employees must also follow the detailed rules contained in the policies and procedures adopted by the District to govern these situations, including those adopted by the Office of Procurement Services in the Procurement Policies & Procedures Manual (available at <https://www.philasd.org/procurement/wp-content/uploads/sites/93/2017/07/OPS-Policies-and-Procedures-rev-12-2012.pdf>) for application to employees involved in procurement activities.

a. *Gifts and favors*

We must not ask for or accept any gift or favor from anyone else that is intended to influence or reward the way that we perform our responsibilities for the District. For example, we cannot receive a gift, no matter how small, given in return for a decision affecting a student's grades or a vendor's selection for a contract. We also must not give gifts or favors to other employees in order to influence or reward the way that they perform their District duties. Gifts and favors include anything of value received without payment of fair consideration. Some examples of things of value are: money, discounts not generally available to the public, loans or debt forgiveness, items, services, meals, entertainment, and travel expenses.

Generally speaking, we must not accept gifts or favors with a retail value of more than \$100 during a calendar year from any single source, such as a particular person, family, or organization, intended to influence or reward the way that we perform our responsibilities for the District. The value limit applies to individual gifts and also to the total value of multiple gifts from the same source.

We must not permit any of our Relatives to accept or give on our behalf any gift or favor that we ourselves cannot accept or give under this Code.

b. *Employment of Relatives by the District*

No employee shall be supervised directly or indirectly by a Relative, without explicit disclosure to the Board and the approval of a majority of the members of the Board. Relatives may work together at the same District facility or program, but may not work with each other in superior-subordinate situations. Therefore, the hiring, appointment, or transfer of an employee which creates a direct or indirect supervisory relationship between Relatives is prohibited. If, despite this prohibition, a supervisory relationship comes into being between Relatives due to a promotion, then the situation must be disclosed immediately and the supervisory relationship must be discontinued within 30 days.

We also must not recommend or participate in any personnel action that directly or indirectly affects a Relative employed by the District. Examples of personnel actions include hiring, promotions, evaluations, discipline, and discharge.

c. *Spending and contracting activities*

We must remove ourselves from any involvement in a decision to make an expenditure or contract valued at \$1,000 or more on behalf of the District, including Student Activity Funds, if the decision could benefit in a substantial way any of the following:

- Any for-profit or nonprofit entity in which we or our Relatives hold, have arranged, or are negotiating a position as an employee, agent, officer, partner, director, or trustee;
- Any entity, other than a publicly traded corporation, in which we or our Relatives have a direct or indirect investment worth \$1,000 or more;
- Any publicly traded corporation in which we or our Relatives hold a direct or indirect investment interest totaling one percent or more of the shares;
- Any real property in which we or our Relatives have a direct or indirect interest worth \$1,000 or more; or
- Any other source of income for us or our Relatives.

We also must not participate in the administration or oversight of any transaction or contract that raises a financial conflict of interest as described above.

d. *Paid work during District employment*

We must not accept any outside earned income in any situation that could reflect poorly on our character or reputation, or could be inconsistent or conflict with performance of our duties as employees. For example, a teacher may not tutor students attending the school where the teacher works.

Additionally, we may not accept a fee or honorarium for an article, appearance or speech, or participation at an event, if the employee is serving in his/her official capacity. However, the employee may receive payment or reimbursement for necessary travel, hospitality, or lodging expenses for any such activity in their official capacity with prior approval of their supervisor.

e. *Paid work after leaving District employment*

We must not negotiate or discuss the possibility of future employment with any person or organization (other than a government agency) that might benefit in a substantial way from our official actions while employed by the District. To prevent an unfair competitive advantage to businesses hiring former employees,



specific restrictions apply for a period of one year after we leave the District. For instance, Charter School Office (CSO) employees may not accept employment at any charter school, charter management organization, charter school real estate property operator, management entity, or charter foundation with whom the District has dealt in an official capacity for a period of twelve (12) months after the employee leaves the District by resignation, retirement, or termination.

f. *Statements of Financial Interest*

All employees at the level of Director or above must file an annual Statement of Financial Interest with the Office of Talent. The Chief Talent Officer may also require filing of a Statement of Financial Interest by other employees whose duties require the exercise of discretion.

8. *REPORT ANY SUSPECTED IMPROPER CONDUCT*

To maintain an ethical culture within the District, we are expected to report potentially unlawful or unethical conduct. This reporting obligation arises whenever employees have reason to believe in good faith (based on observations or other facts) that another person's conduct either:

- Conflicts with the law, this Code of Ethics, or District policies or procedures;
- Raises a danger to public health or safety; or
- Poses a risk to the District's public reputation for competence and integrity.

We may fulfill our duty to report by promptly raising our concerns to any of the following:

- Any supervisor (who in turn must inform the Office of Talent of the report before initiating any investigation);
- The Office of Talent at (215) 400-4600 or [Talent@philasd.org](mailto:Talent@philasd.org);
- The General Counsel's Office at (215) 400-4120 or [Ethics@philasd.org](mailto:Ethics@philasd.org); or
- The Inspector General's Office at (215) 400-8477 or [inspectorgeneral@philasd.org](mailto:inspectorgeneral@philasd.org). This option can be used to report anonymously, when reporters are not comfortable identifying themselves.

To create the right environment for reporting, we must not:

- Discourage anyone else from reporting suspected improper conduct;
- Threaten, harass, punish, or retaliate in any way against someone who has made a good faith report of misconduct (or is believed to have done so); or
- Make any report of misconduct that is false, malicious, or frivolous.

For any questions regarding the Code of Ethics, please ask your Building Supervisor/Principal or the Office of Talent at (215) 400-4600 or email questions to [Ethics@philasd.org](mailto:Ethics@philasd.org).



**References**

1. [Policy 348 - Harassment and Discrimination of Employees](#)
2. [Policy 824 - Maintaining Professional Adult/Student Boundaries](#)
3. [April 25, 2019 Board Resolution Authorizing the Authority of the Office of the Inspector General](#)
4. [Policy 815 - Acceptable Use of Internet, Technology, and Network Resources](#)
5. [Policy 815.1 - Internet and Media Presence](#)
6. [Policy 320 - Freedom of Speech and Political Activities](#)