

EMPLOYEE CODE OF ETHICS

(Attachment for Policy No. 300)

Purpose

The Board of Education (“Board”) of the School District of Philadelphia (“District”) has a paramount vision: “To prepare students to imagine and realize any future they desire. To make this ambitious vision a reality, all District employees and badged contractors entrusted with a critical mission, we must build and preserve public confidence by performing our roles with integrity and ethics.

Definitions

For purposes of this Employee Code of Ethics (“the Code”), terms are defined as follows:

Relative: A parent, sibling, spouse, child, grandchild, nephew, niece, or cousin, or domestic partner. Any relationship by marriage is treated the same as a relationship by blood.

Protected Classification: Classifications which are defined under federal, state or local law as being protected. These classes include race, color, ethnicity, age, religion, sex, sexual orientation (known or perceived), gender identity or expression (known or perceived), shared ancestry and ethnic characteristics, national origin, marital status, pregnancy, veteran status, and disability.

Confidential information: Information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.

Conflict or Conflict of Interest: Use by a District employee of the authority of their employment, or any confidential information received through holding public employment, for the private financial benefit of themselves, a Relative, or a business with which they or a Relative is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the employee, a member of their Relative or a business with which they or a Relative is associated.

For federal purposes, a conflict of interest includes when the employee, officer, agent, or Board member, any Relative, their partner, or an organization that employs or is about to employ any of those individuals, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.

De minimis economic impact: an economic consequence which has an insignificant effect.

Financial interest: Any financial interest in a legal entity engaged in business for profit which comprises more than five percent (5%) of the equity of the business or more than five percent (5%) of the assets of the economic interest in indebtedness.

Honorarium: Payment made in recognition of published works, appearances, speeches and

presentations, and which is not intended as consideration for the value of such services which are nonpublic occupational or professional in nature. The term does not include tokens presented or provided which are of de minimis economic impact.

Business partner: a person who, along with another person, plays a significant role in owning, managing, or creating a company in which both individuals have a financial interest in the company.

Vendor: includes any business enterprise, person, firm, partnership, non-profit corporation, for-profit corporation, limited liability company or other legal entity that may seek to or does submit a bid or proposal in response to an invitation to bid or request for proposals or qualifications, or otherwise is seeking to contract with the District or act as a subcontractor on a District contract, and/or with which the District has entered into a contract.

Key Ethical Principles

This Code sets forth 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, 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 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.

Procedures

In alignment with the key principles outlined above, this Code provides practical guidance to all employees of the District and “do’s and don’ts” are included as examples. However, this Code cannot include every possible situation related to the key principles or a clear answer to every question.

Each employee is responsible for their own ethical decision-making, as well as fostering an ethical environment. Employees are expected to use good judgment to satisfy the spirit of this Code. When facing decisions, employees should utilize the following framework:

- Pause to assess the situation for potential ethical implications;
- Review this Code, relevant law, and District policies and procedures for guidance;
- Reach Out, when in doubt, for support from the General Counsel's Office at (215) 400-4120 or Ethics@philasd.org; and
- Act by making choices that uphold the public trust and in a manner consistent with the guidance received.

Annual Review

All employees are required to review the Code at least annually. Adherence to the Code is a mandatory condition of employment for all District staff and failing to review the Code does not exempt an employee from following its requirements.

Enforcement

Alleged violations of the Code are subject to investigation. All 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.

Ethical Standards for Employee Conduct

1. Conduct Activities in Full Compliance with the Law, this Code, and District Policies and Procedures

Employees must perform their duties in compliance with all relevant federal, state, and local laws and regulations, and also with all District policies and procedures. Employees must be aware of the legal and District requirements that apply to their individual jobs.

The following laws relate directly to the District's educational and public service missions, and therefore apply to employees:

- 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 and a safe and engaging learning environment for our students, employees must treat others with respect and dignity. In practice, this means consistently acting and speaking in a professional manner, dressing appropriately for a learning and work environment, and avoiding inappropriate behaviors or interactions with co-workers, students, parents and other family members, and community members.

In particular, employees cannot engage in conduct or use language that could be reasonably interpreted as abusive, hostile, intimidating, coercive, discriminatory, harassing, or exploitative. Employees cannot reference anyone else's protected classification in a negative, disrespectful or joking way, or in any manner that may negatively impact their ability to fulfill their job duties in a manner consistent with the Code or interfere with the District's ability to achieve its paramount vision: "To prepare students to imagine and realize any future they desire."

Employees must be fair and impartial in exercising their 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. [1]

Dating relationships or sexual contacts of any kind between employees and students are strictly forbidden, and grounds for referral to law enforcement. [2] Employees must 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 or communicating with a student through a non-official means (e.g. by personal email, phone, or social media account). [2]

In addition, romantic relationships or sexual contacts between supervisors and employees within their supervisory line are strictly forbidden.

3. Protect All Confidential Information

Employees must not disclose confidential information or records to anyone inside or outside the District except as required to perform our responsibilities. [3] All disclosures must comply with applicable laws, confidentiality agreements, and District policies and procedures. This obligation of confidentiality remains in effect even after an employee's service to the District has concluded.

Confidential information must never be used to further private interests. This includes, but is not limited to, disclosing privileged information to a third party to afford them an undue advantage

during the District's procurement or bidding procedures.

4. Be Honest and Forthright

We must be honest in order to earn and keep the public's trust. To uphold the reputation of the District, employees must operate with absolute transparency. This mandate requires avoiding any form of fraud, falsification, or misrepresentation in both official statements and in records maintained in the course of an employee's professional duties. The duty of transparency extends beyond mere accuracy; information should be shared in a manner that is candid, comprehensive and timely.

Employees are strictly prohibited from participating in or permitting any form of academic dishonesty. This includes any effort to distort grades, afford students an inequitable advantage on evaluations, or falsely certify the completion of coursework. Consequently, employees must fully cooperate with representatives of the Office of the Inspector General by providing accurate information and prompt access to all necessary materials during any inquiry.

5. Use District Resources and Positions Only for District Purposes

Employees have a shared obligation to manage the District's resources and their own professional positions with integrity. This means that employees must limit their actions during the work day, and when using District property so that there is no intentional or accidental misuse of District (1) property; (2) time; or (3) authority for non-District purposes.

a. Responsible Use of District Property

All District resources, including but not limited to our facilities, technology, and information systems, exist to serve our educational mission. [4] Use of these resources is strictly for authorized District business only and employees must avoid using District resources for any unapproved, private, or personal purposes. [5] This requires full compliance with our standards for the professional use of technology in accordance with Policies and their Administrative Procedures. [6][7][8][9]

This obligation not only applies to funds and property provided by the District, but additionally to funds and property donated to the District. For example, all grant funds, and donated funds, including those generated through fundraising and Student Activity accounts, must be handled transparently and used only to further the District's mission and priorities.

b. Integrity of Professional Time

Employees are expected to dedicate their assigned work hours solely to conducting District business. Employees must not use District time (e.g. their working hours) for personal matters. Personal matters include but are not limited to maintaining outside employment or advocating for political causes. If significant time is needed to address personal matters, employees should refer to the District's leave policies.

Similarly, employees should not encourage, allow or support others in using their work hours for anything other than District business.

c. Proper Use of Authority

Employees must not use their job titles or positions to gain a personal benefit for themselves or others. Employees should refrain from using their authority—including titles and badges—to influence matters unrelated to District business. Keeping this clear line between professional and personal interests protects the integrity of the District’s mission.

This includes not using an employee’s titles, badges, or official letterhead, or even referring to their 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

District property and school time may not be used for political purposes. [6] Candidates for public office, including the President and Vice President of the United States, as well as state and local candidates, may not use school buildings as campaign forums, including for campaign visits or press events.

Visits by elected officials and candidates for elected office can 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. If allowed, candidate visits must focus on classroom and school topics, such as history, current events, political science, student achievement, and voter registration efforts. Visits should enhance the educational experience of our students and shall not become political campaigning events. School administrators are encouraged to request guidance whenever there is a question about whether an event falls within this policy by reaching out to governmentrelations@philasd.org.

7. Avoid any Improper Influence or Potential Conflict of Interest

Employees must use independent judgment while performing their 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 personal, family, or financial interests impacts an employee’s actions or decisions ~~we make~~ while performing their job. Family interests include the interests of any employee’s Relatives. Any relationship by marriage is treated the same as a relationship by blood. [10]

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

It is a conflict of interest for an employee or candidate to solicit or accept anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment.

However, a conflict of interest does not include:

- an action which has a de minimis economic impact;
- an action which equally affects all members of a class, occupation or other group which includes
 - the District employee,
 - their Relatives or
 - a business with which they or their Relative is associated.

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 Manual (available [here](https://drive.google.com/file/d/1D6VGjGDjxttanQtJ1dcQ6tUW2RBEko1w/view)) <https://drive.google.com/file/d/1D6VGjGDjxttanQtJ1dcQ6tUW2RBEko1w/view> for application to employees involved in procurement activities.

The following sections address common situations that can create improper influence or conflicts of interests.

a. *Gifts and favors*

Employees must not ask for or accept any gift or favor from anyone ~~else~~ that is intended to influence or reward the way that they perform job responsibilities for the District. For example, an employee 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. Employees 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 include but are not limited to: money, discounts not generally available to the public, loans or debt forgiveness, items, services, meals, entertainment, and travel expenses.

Employees 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. The value limit applies to individual gifts and also to the total value of multiple gifts from the same source.

Employees must not permit any of their Relatives to accept or give on their behalf any gift or favor that they themselves 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 without Board approval. [11] When a supervisory relationship

comes into being between Relatives due to a promotion, transfer or other administrative action, then it must be disclosed immediately to the Board for approval. If the Board has not approved the supervisory relationship, it must be discontinued within 30 days.

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

c. *Spending and contracting activities*

Employees must abstain 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 the employee or a Relative holds, 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 the employee or a Relative has a direct or indirect investment worth \$1,000 or more;
- Any publicly traded corporation in which the employee or a Relative holds a direct or indirect investment interest totaling one percent or more of the shares;
- Any real property in which the employee or a Relative has a direct or indirect interest worth \$1,000 or more; or
- Any other source of income for the employee or a Relative.

Employees 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*

Employees must not accept any outside earned income in any situation that could constitute a conflict of interest or could be inconsistent or conflict with performance of their duties as employees. For example, a teacher may not tutor students attending the school where the teacher works.

Additionally, an employee 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*

Employees must not negotiate or discuss the possibility of future employment with any person or organization that might benefit in a substantial way from their official actions while employed by the District.

To prevent an unfair competitive advantage to businesses hiring former employees, former employees cannot represent a person or entity on any matter with which they have been associated while an employee or a period of one year after they 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 Ethics Officer. 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, employees are expected to report potentially unlawful or unethical conduct.^[2] This reporting obligation arises whenever employees have a good faith reason to believe (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; **or**
- Raises a danger to public health or safety; **or**
- Interferes with the District's ability to fulfil its core mission of providing every student with the opportunity to achieve positive life outcomes and high quality educational services to all children in Philadelphia, including by virtue of harming the District's reputation and undermining the public's trust in the District.

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

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

Regardless of what office an employee reports to, an investigation based on reports of perceived violations of Policy 300 or these procedures shall comply with state and federal laws and regulations. Moreover, no person sharing in the potential conflict of interest being investigated shall be involved in conducting the investigation or reviewing its results.

Investigations of alleged employee misconduct under this policy will be conducted by the employee's supervisor in coordination with Employee and Labor and Relations, or by the Office of the Inspector General, or both. Refusal to cooperate with an investigation may result in disciplinary charges up to and including termination. Investigations should be done in accordance with District guidance. [11]

If an investigation results in a finding that the complaint is accurate and constitutes a violation of Policy 300 or these procedures, the District shall take prompt, corrective action. District staff shall document the corrective action taken as part of the employee discipline process.

Violations of Policy 300 and these procedures may result in disciplinary action for employees up to and including discharge, fines and possible imprisonment. Disciplinary actions shall be consistent with Board policies, procedures, applicable collective bargaining agreements and state and federal laws.

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 reach out to the Office of General Counsel at (215) 400-4120 or email questions to Ethics@philasd.org.

Related Information

1. [Policy 348 - Harassment and Discrimination of Employees](#)
2. [Policy 824 - Maintaining Professional Adult/Student Boundaries](#)
3. [Policy 216 - Student Records](#)
4. [Policy 710 - Use of Facilities, Equipment and Supplies by Staff](#)
5. [Policy 707 - Use of Facilities](#)
6. [Policy 717 - District Issued Mobile Communication Devices](#)
7. [Policy 717.1 - District Issued Computers and Portable Computing Devices](#)
8. [Policy 815 - Acceptable Use of Internet, Technology, and Network Resources](#)
9. [Policy 815.1 - Internet and Media Presence](#)
10. [Policy 1200 - Office of the Inspector General](#)
11. [Policy 304 - Employment of District Staff](#)
12. [Policy 320 - Freedom of Speech and Political Activities](#)