



## Employee Integrity Protocol

The Employee Integrity Protocol includes the following items:

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### I. Overview

As employees of the Bethlehem Area School District (BASD), we are responsible to the children we serve, to each other, to our school district, and to our community. Everyone benefits when we perform our functions with responsibility, respect, and integrity.

**Integrity:** Doing What Is Right

#### Simple Guidelines to Follow

Ask Before Acting

1. Is it legal?
2. Does it follow federal and state laws, Pennsylvania School Code, board policy?
3. Is it right?
4. How would it look to the community?

For example, how would it look to our children, the people in the community, where we work and reside, and the general public?

#### Remember These Rules

1. Know the legal and policy standards that apply to your position.
2. Familiarize yourself with and follow the *Pennsylvania Code of Professional Practice and Conduct for Educators*.
3. Ask if you are ever unsure what is the right thing to do or if something is permissible or legal.

## II. Frequently Asked Questions (FAQ's)

What follows are frequently asked questions surrounding the issues of employee integrity, and what to do when you feel something is askew or just does not feel right. The question/answer format leads itself to a system of explanations that may not address all inquiries, but indeed targets most. The district will add to this list as more questions are raised and answers generated.

### **What is the Code of Professional Practice?**

Our code is the combination of several laws and standards. BASD employees are expected to follow *Pennsylvania Code of Professional Practice and Conduct for Educators*. BASD is committed to conducting our work in compliance with federal, state, and local law, and district policy without exception. Many of these standards are more demanding than ever. Integrity means living up to these standards without conditions.

The code should help us both understand compliance and integrity rules that apply to us all, and the what, where, when, and where relative to reporting or seeking advice.

### **Who should follow the code?**

All employees, all commissioned officers, and all board members are required to adhere to the code.

### **Are there different requirements for those who supervise?**

Those who supervise have additional responsibilities:

- Set an example – model integrity.
- Provide their charges with information on the code.
- Monitor compliance of their charges.
- Enforce the standards.
- Support those who raise issues or concerns about noncompliant cases.
- Report instances of noncompliance immediately.

### **Does the code address everything?**

No code can possibly cover all areas. Rules and laws change or new ones are added. It is our obligation to stay current by regularly reviewing the code.

**What should I do when I witness someone behaving irresponsibly, unethically, or illegally?**

If you witness something that violates the law, the *Pennsylvania Code of Professional Practice and Conduct for Educators*, and/or the board policy indicates that you should speak with your immediate supervisor/administrator. This is usually a good place to start and complies with board policy. You can also get assistance from your supervisor's supervisor, the human resource department, and/or the Associate Superintendent's Office.

If you are unsure about where to go for assistance, uncomfortable about using one of the resources mentioned above, or wish to raise a concern anonymously, you may contact the **BASD Hotline at 610-866-3000**.

**Do I have a duty to speak up?**

BASD cannot possibly live up to a commitment to perform our work with dignity, unless we speak up when we should. You should speak up if:

- You are unsure about a proper course of action and need advice.
- You believe an employee may have committed an inappropriate act.
- You may have been involved in misconduct.

**May I remain anonymous?**

Yes. When you call the BASD Hotline or express your concerns to a supervisor/administrator, you may remain anonymous, if you wish. District personnel will treat the information sensitively and provide the utmost confidentiality consistent with the best interest of the individual and employees involved as protected under the law.

**Are there specific areas I should report?**

While no list can be all-inclusive, here are a few examples of types of issues:

- Harassment
- Discrimination
- Theft or fraud
- Improper bookkeeping
- Drug abuse
- Alcohol abuse
- Child abuse\* (required reporting)
- Accepting or giving impermissible gifts
- Gross policy violations
- Abuse of leave policy

- Chronic lateness or absence from assignment
- Misuse of intellectual property
- Workplace violence
- Accepting a bribe
- Grade tampering
- Falsification of documents
- Retaliation

**Who should I contact?**

The most important thing is that you raise the question or concern. Your supervisor is usually the most appropriate place to start. However, sometimes that process is compromised, and you should feel secure going to another level of authority. We have provided the flow chart to give you a clear direction for reporting incidents.

**What if my immediate supervisor is involved in the alleged violation?**

When you suspect involvement of your immediate supervisor in a violation, the report should go to the human resources department for proper processing. In the event the human resources department is involved, the report should be filed with the Associate Superintendent. In all cases, the utmost confidentiality will be maintained throughout the process.

**What happens if no one comes to me with a concern?**

You need to examine where you fall on the flow chart and proceed to the next level. Ultimately, all reporting must arrive at the desk of our Human Resources Manager, our ombudsman, who follows the investigative measures outlined later in this document.

**What happens when I raise a concern or make a report?**

We take all reports seriously. We investigate the facts. We may involve investigators for more serious violations. Nonetheless, our investigators must be:

- Impartial
- Competent
- Honest and fair
- Timely
- Thorough
- Confidential

### **How will my complaint be investigated?**

Several board policies address the method by which complaints and concerns are investigated. Board Policy Numbers 248, 348, 448, and 548 address the procedure for unlawful harassment investigations. Other board policies, such as, Board Policy Numbers 326, 426, and 526 explain the process for complaints or concerns expressed. Issues not falling under the umbrella of the specific policies will follow acceptable industry standards for workplace investigations handled confidentially out of the human resources department.

### **III. Work Environment**

- BASD is committed to maintaining safe and professional working environments that promote teamwork and trust. This means that all people need to be treated with dignity regardless of race, color, religion, sex, age, national origin, sexual orientation, disability, citizenship status, marital status, or any other protected status.
- Fostering this professional work environment means that our school district will not tolerate any form of harassment. Harassment can be verbal, physical, or visual. Sexual harassment can include sexual advances, requests, unwanted physical or verbal contact, and unwelcome sexual suggestions. Other prohibited conduct includes: offensive, racial, ethnic, religious, age-related, or sexual jokes; displaying or distributing offensive photos, pictures, or cartoons; using e-mail, voicemail, or other devices to transmit inappropriate information. These behaviors affect us all, impair the quality of our fine school system, and cannot be tolerated at BASD.
- Likewise, the health, safety, and security of all staff and students must remain paramount. Having rules is not enough to guarantee safety. Each of us needs to be alert to violations and aberrant situations as we go about our work.
- A professional work environment also requires that all employees have the guarantee of confidentiality in matters surrounding personal and personnel information. No one should ever arbitrarily share the information about another staff member without the permission of that individual.
- Drugs and alcohol are strictly prohibited on the campuses of our school system. This tenet shall never be compromised. Reporting of incidents where drugs and alcohol are involved are an obligation of staff who have evidence of such violations. Staff members who are under the influence of alcohol or drugs, improperly using medication, or wrestling with addictions not only diminish their ability to do their jobs, but also threaten the safety of other staff and students.

## **IV. Conflicts of Interest**

As BASD employees, we must always work together for the common good, and to reach our common goals. This means maintaining loyalty and objectivity, and avoiding conflicts of interest.

A conflict of interest arises when an employee's personal, social, financial, political, or career interest creates the potential for interference with his/her loyalty and objectivity to the district. Actual conflicts must be absolutely avoided, but even the perception or appearance of a conflict of interest can spell trouble.

Below are some common conflicts of interest to avoid:

- Outside employment and affiliations with organizations that sell or provide services to the district. While not illegal, certain disclosures and procedures must be followed.
- The work or services of close relatives when providing product or services to the district can be a conflict.
- Investments in companies that deal with the district. Some investments are just wrong while others are permissible .... Check first!
- Gifts and entertainment are subject to rules and laws. Accepting gifts or entertainment from vendors or service providers beyond the current legal limits of \$600 cumulative annual amount must be reported. It is unwise to accept gifts or entertainment if you are involved in a current decision where a selection of product or service is to be made.
- Any gift of cash is simply wrong.
- Any "quid pro quo" agreement where you accept or request a gift in return for a work action is unacceptable.
- Participation in entertainment that is unsavory, sexually oriented, or otherwise against moral standards, even when within the fiscal boundaries is always wrong.
- Making a decision in favor of a relative or close friend that would otherwise have been made in the appraising determination of others is a conflict of interest.
- Rigging a bid or quote process, or skewing it in favor of friends or relatives is always wrong.
- Dealing with an employee's relative differently than you would with others is a potential conflict.

The above list comprises only a sampling of areas where "conflict of interest" can arise. Using good judgment and common sense should be our guide.

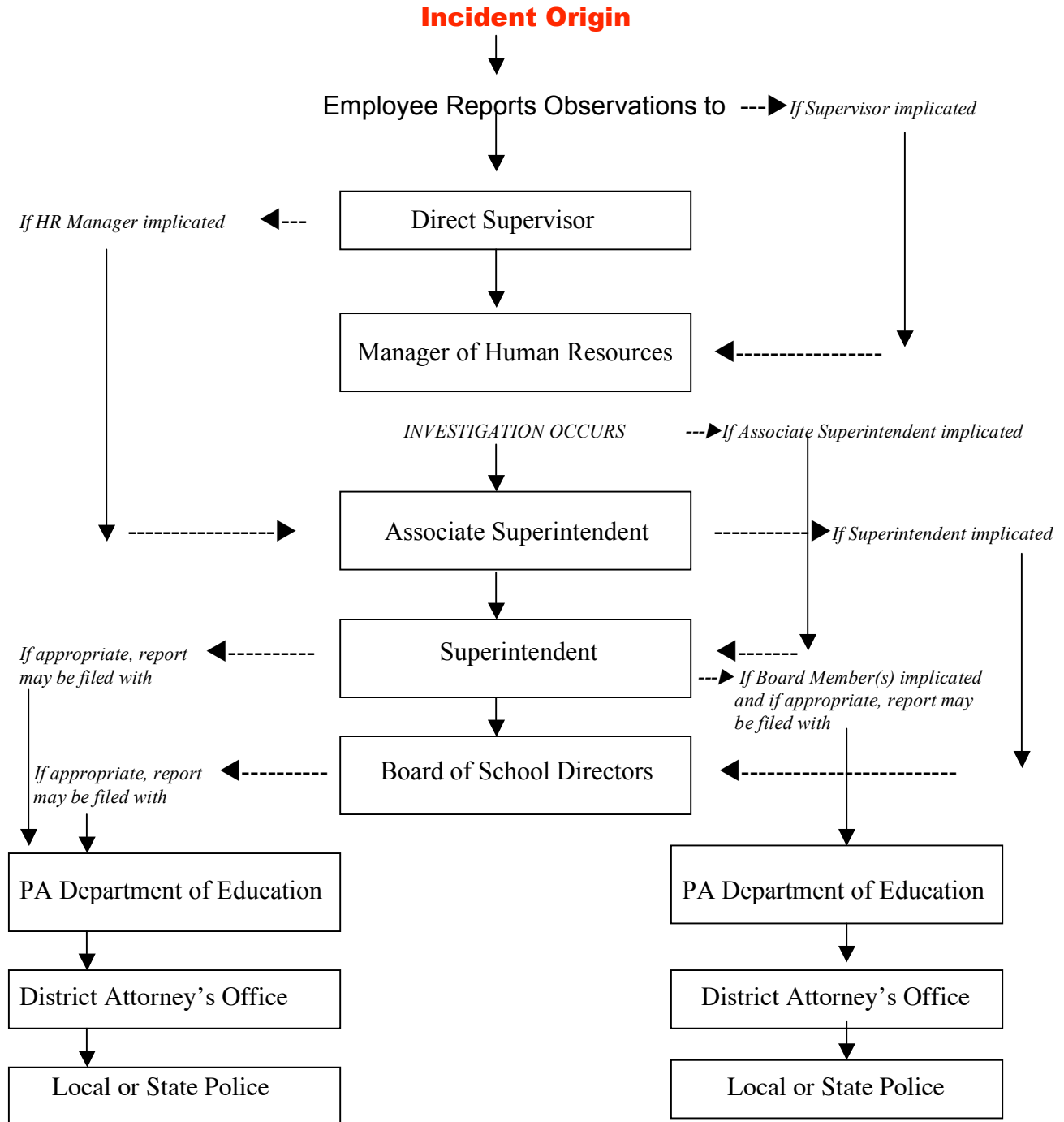
## V. Investigation Guidelines

The following guidelines apply to our internal investigation of potential violations of law, Pennsylvania School Code, or BASD Board Policy.

1. We will conduct investigations in accordance with all applicable laws.
2. When there is a basis to believe that there may have been a violation of law and/or a board policy, we will exercise due diligence to collect and evaluate relevant facts about the issue and to determine whether or not a violation has occurred.
3. We will treat all persons involved in an investigation with respect and fairness.
4. We will determine the extent of an investigation in large part by the seriousness of the issue and the nature and quality of information provided about a potential violation.
5. We will look into issues objectively and impartially and make no presumption at the outset of an investigation whether or not there has been a violation, or whether a person is guilty or innocent of allegations made against him/her.  
**To this end, we will not assign an investigation to persons who have an interest in the outcome of the matter.**
6. While investigating a potential violation, we will work to understand all sides of the issue, including, where appropriate, speaking with people whose conduct is at issue. We will consider all relevant facts, whether incriminating or exonerating.
7. We will handle investigations as **discretely** and **confidentially** as possible under the circumstances and expect everyone involved in or assisting the investigation to do the same.
8. We will expect full cooperation from our employees and from any others involved, including suppliers, vendors, contractors, and their respective employees. We will not tolerate any attempts to obstruct an investigation.
9. We will strive to complete investigations in a timely, cost-effective manner, while limiting any disruption to on-going educational or business activities.
10. **We will not tolerate retaliation** against a person who, in good faith, reports a known or suspected violation of law or board policy, or who participates in any part of an investigation.
11. Based on all of the collected facts, the appropriate investigative personnel will decide the necessary steps to take next.
12. We will document all steps taken during the investigation and the results.

## VI. Flow Chart for Reporting Procedures

The flow chart below depicts the appropriate process for reporting behaviors deemed unethical, irresponsible, and/or illegal.



## **VII. Hotline Information**

# **BASD HOTLINE 610-866-3000**

**It's your call!**



The Bethlehem Area School District monitors a hotline number to provide parents, staff members, and students an avenue for anonymously reporting illegal, unethical, and/or irresponsible behavior, or potential threats of violence.

## **VIII. Pennsylvania Code of Professional Practice and Conduct for Educators**

### **Section 1. Mission**

The Professional Standards and Practices Commission is committed to providing leadership for improving the quality of education in this Commonwealth by establishing high standards for preparation, certification, practice, and ethical conduct in the teaching profession.

### **Section 2. Introduction**

- (a) Professional conduct defines interactions between the individual educator and students, the employing agencies, and other professionals. Generally, the responsibility for professional conduct rests with the individual professional educator. However, in this Commonwealth, a Code of Professional Practice and Conduct (Code) for certificated educators is required by statute and violation of specified sections of the Code may constitute a basis for public or private reprimand. Violations of the Code may also be used as supporting evidence, though may not constitute an independent basis, for the suspension or revocation of a certificate. The Professional Standards and Practices Commission (PSPC) was charged by the act of December 12, 1973, (P.L. 397, No. 141) (24 P.S. § §12-1251—12-1268), known as the Teacher Certification Law, with adopting a Code by July 1, 1991. See 24 P.S. § 12-1255(a)(10).
- (b) This chapter makes explicit the values of the education profession. When individuals become educators in this Commonwealth, they make a moral commitment to uphold these values.

### **Section 3: Purpose**

- (a) Professional educators in this Commonwealth believe that the quality of their services directly influences the Nation and its citizens. Professional educators recognize their obligation to provide services and to conduct themselves in a manner which places the highest esteem on human rights and dignity. Professional educators seek to ensure that every student receives the highest quality of service, and that every professional maintains a high level of competence from entry through ongoing professional development. Professional educators are responsible for the development of sound educational policy and obligated to implement that policy and its programs to the public.
- (b) Professional educators recognize their primary responsibility to the student and the development of the student's potential. Central to that development is the professional educator's valuing the worth and dignity of every person, student, and colleague alike; the pursuit of truth; devotion to excellence; acquisition of knowledge; and democratic principles. To those ends, the educator engages in continuing professional development and keeps current with research and technology. Educators encourage and support the use of resources that best serve the interest and needs of students. Within the context of professional excellence, the educator and student together explore the challenge and the dignity of the human experience.

#### **Section 4. Practices**

- (a) Professional practices are behaviors and attitudes that are based on a set of values that the professional education community believes and accepts. These values are evidenced by the professional educator's conduct toward students and colleagues, and the educator's employer and community. When teacher candidates become professional educators in this Commonwealth, they are expected to abide by this section.
- (b) Professional educators are expected to abide by the following:
- (1) Professional educators shall abide by the Public School Code of 1949 (24 P.S. §§ 1-101—27-2702), other school laws of the Commonwealth, sections 1201(a)(1), (2) and (4) and (b)(1), (2) and (4) of the Public Employee Relations Act (43 P.S. §§ 1101.1201(a)(1), (2) and (4) and (b)(19), (2) and (4), and this chapter.
  - (2) Professional educators shall be prepared, and legally certified, in their areas of assignment. Educators may not be assigned or willingly accept assignments that are not certified to fulfill. Educators may be assigned to or accept assignments outside their certification area on a temporary, short-term, emergency basis. Examples: a teacher certified in English filling in a class period for a physical education teacher who has that day become ill; a substitute teacher certified in elementary education employed as a librarian for several days until the district can locate and employ a permanent substitute teacher certified in library science.
  - (3) Professional educators shall maintain high levels of competence throughout their careers.
  - (4) Professional educators shall exhibit consistent and equitable treatment of students, fellow educators, and parents. They shall respect the civil rights of all and not discriminate on the basis of race, national, or ethnic origin, culture, religion, sex, or sexual orientation, marital status, age, political beliefs, socioeconomic status, disabling condition, or vocational interest. This list of bases or discrimination is not all-inclusive.
  - (5) Professional educators shall accept the value of diversity in educational practice. Diversity requires educators to have a range of methodologies, and to request the necessary tools for effective teaching and learning.
  - (6) Professional educators shall impart to their students principles of good citizenship and societal responsibility.
  - (7) Professional educators shall exhibit acceptable and professional language and communication skills. Their verbal and written communications with parents, students, and staff shall reflect sensitivity to the fundamental human rights of dignity, privacy, and respect.

- (8) Professional educators shall be open-minded, knowledgeable, and use appropriate judgment and communication skills when responding to an issue within the education environment.
- (9) Professional educators shall keep in confidence information obtained in confidence in the course of professional service unless required to be disclosed by law or by clear and compelling professional necessity as determined by the professional educator.
- (10) Professional educators shall exert reasonable effort to protect the student from conditions which interfere with learning or are harmful to the student's health and safety.

### **Section 5. Conduct**

Individual professional conduct reflects upon the practices, values, integrity, and reputation of the profession. Violation of §§ 235.6—235.11 may constitute an independent basis for private or public reprimand, and may be used as supporting evidence in cases of certification suspension and revocation.

### **Section 6. Legal Obligations**

- (a) The professional educator may not engage in conduct prohibited by the act of December 12, 1973 (P.L. 397, No. 141) (24 P.S. §§ 12-1251—12-1268), known as the Teacher Certification Law.
- (b) The professional educator may not engage in conduct prohibited by:
  - (1) The Public School Code of 1949 (24 P.S. §§ 1-101—27-2702) and other laws relating to the schools or the education of children.
  - (2) The applicable laws of the Commonwealth establishing ethics of public officials and public employees, including the act of October 4, 1978 (P.L. 883, No. 170) (65 P.S. §§ 401—413), known as the Public Official and Employee Ethics Law.
- (c) Violation of subsection (b) shall have been found to exist by an emergency of proper jurisdiction to be considered an independent basis for discipline.

### **Section 7. Certification**

The professional educator may not:

- (1) Accept employment, when not properly certificated, in a position for which certification is required.
- (2) Assist entry into or continuance in the education profession of an unqualified person.
- (3) Employ or recommend for employment, a person who is not certificated appropriately for the position.

### **Section 8. Civil Rights**

The professional educator may not:

- (1) Discriminate on the basis of race, sex, or sexual orientation, marital status, age, political beliefs, socioeconomic status; disabling condition or vocational interest against a student or fellow professional. This list of bases of discrimination is not all-inclusive. This discrimination shall be found to exist by an agency of proper jurisdiction to be considered an independent basis for discipline.
- (2) Interfere with a student's or colleague's exercise of political and civil rights and responsibilities.

### **Section 9. Improper Personal or Financial Gain**

The professional educator may not:

- (1) Accept gratuities, gifts, or favors that might impair or appear to impair professional judgment.
- (2) Exploit a professional relationship for personal gain or advantage.

### **Section 10. Relationships with Students**

The professional educator may not:

- (1) Knowingly and intentionally distort or misrepresent evaluations of students.
- (2) Knowingly and intentionally misrepresent subject matter or curriculum.
- (3) Sexually harass or engage in sexual relationships with students.
- (4) Knowingly and intentionally withhold evidence from the proper authorities about violations of the legal obligations as defined within this section.

### **Section 11. Professional Relationships**

The professional educator may not:

- (1) Knowingly and intentionally deny or impede a colleague in the exercise or enjoyment of a professional right or privilege in being an educator.
- (2) Knowingly or intentionally distort evaluations of colleagues.
- (3) Sexually harass a fellow employee.
- (4) Use coercive means or promise special treatment to influence professional decisions of colleagues.
- (5) Threaten, coerce, or discriminate against a colleague who in good faith reports or

discloses to a governing agency actual or suspected violations of law, agency regulations, or standards.

The Pennsylvania Code of Professional Practice and Conduct for Educators can be viewed on the website at <http://www.pacode.com/secure/data/022/chapter235/chap235toc.html>.

The Code of Professional Practice and Conduct for Educators can be found at 22 Pa. Code §§235.1-235.11.

All questions should be directed to the Professional Standards and Practices Commission at (717) 787-6576.

## **IX. Web-based Access to Protocol**

This entire informational packet is available as a PDF file on the district's website home page at [www.beth.k12.pa.us](http://www.beth.k12.pa.us).

## **X. Employee Assistance Program**

An Employee Assistance Program (EAP) is an addition to your employee benefits. It is an employer-sponsored arrangement to help you and your immediate family members resolve personal problems of all kinds. Employee assistance programs are designed to help you find solutions before any problem, big or small, adversely affects your health or job performance. The Bethlehem Area School District values you as an employee and is committed to providing an environment in which you can develop to your full potential, feel good about yourself, and make a long-term commitment to your career.

We all run into difficulties and stresses at times, and are usually able to resolve the situation on our own or with the help of family and friends. However, when problems continue unresolved, we often become dissatisfied and unhappy with ourselves and our lives, including our jobs. Professional counseling and assistance can be very helpful in resolving personal problems, often in just a few counseling sessions. We want you to have the resources needed to adequately address difficulties when they arise. The EAP is available for:

- When you think a problem is becoming serious.
- When a given situation concerns or troubles you.
- When co-workers express concern.
- When your immediate supervisor notices problems with your work.

Employees at all levels can be overwhelmed by the problems of daily living. A wide variety of problems can have a negative affect on personal well-being and on job performance, such as alcohol abuse, drug abuse, family, emotional, financial, legal, marital, physical, special services, and work related.

The EAP understands that confidentiality is of the utmost importance. When an employee is referred due to poor job performance, no information as to the nature of the problem is released. No documentation regarding an employee's participation in an EAP will ever become part of his/her personnel file. Job security is never jeopardized based on obtaining help from an employee assistance program.

Up to three counseling sessions are provided annually for employees and their immediate family members at no cost. Contact Lehigh Valley Hospital – Muhlenberg Behavioral Health at 484-884-5783 to schedule an appointment.

Booklet copies of the Employee Assistance Program are available in the Human Resources Department and also on the district's website home page at [www.beth.k12.pa.us](http://www.beth.k12.pa.us).

Approved by the Board of School Directors at the August 20, 2007, Regular Board Meeting.