

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 317
SECTION: 300
Employees
TITLE: 317 Employee
Conduct and Reporting
Requirements
ADOPTED: June 15,
2017
REVISED:

317 EMPLOYEE CONDUCT AND REPORTING REQUIREMENTS

Purpose

To facilitate an effective educational environment **and provide role models of caring and supportive behavior, the Board of Education (“Board”)** expects all employees to conduct themselves in a manner consistent with appropriate and orderly behavior. **This policy provides guidance on what conduct that is required and is prohibited during work hours and certain employee reporting requirements for violations of** and the disciplinary actions that may be applied for violation of Board policies, administrative procedures and rules, the School District of Philadelphia’s (“District”) Employee Code of Ethics, and the Pennsylvania Code of Professional Practice and Conduct for Educators, ~~where or other~~ **applicable law.**

Definitions

N/A

Authority

The Board requires District employees to conduct themselves in compliance with Board policies, administrative procedures and rules, the Employee Code of Ethics and the Pennsylvania Code of Professional Practice and Conduct for Educators, where applicable, and to report violations as required by Board policy or applicable law. [1][2][3]

Delegation of Responsibility

The Superintendent or designee **from the Office of Talent** shall develop and disseminate **rules of conduct that apply to all District employees.** ~~disciplinary rules for violations of SRC policies, administrative procedures and rules, and the District Employee Code of Ethics. that provide progressive penalties including, but not limited to, verbal warning, written warning, reprimand, suspension, demotion, dismissal, and/or pursuit of civil and criminal sanctions.~~

~~Any complaints or suspected violations of the activities described in this policy will be managed through the appropriate due process, with penalties ranging from any of the above.~~

Mandatory Regulatory Procedures:

~~All administrative, professional and support employees are expected to conduct themselves in a manner consistent with appropriate and orderly behavior. Effective operation of schools requires the cooperation of all School District of Philadelphia (“District”) employees, our community, and families working together and complying with a system of Board of Education (“Board”) policies, administrative procedures and rules, applied fairly and consistently.~~

~~The SRC Board~~ requires employees to maintain professional, moral, and ethical relationships with students, **staff, families, and the community** at all times. [2][3][4][5]

~~The SRC Board~~ directs that all ~~District~~ **District** employees shall be informed of conduct that is required and is

~~prohibited during work hours and the disciplinary actions that may be applied for violation of Board policies, administrative procedures and rules, the Employee Code of Ethics, and the Pennsylvania Code of Professional Practice and Conduct for Educators, where applicable.~~[\[2\]](#)[\[3\]](#)

~~All dDistrict employees shall comply with state and federal laws and regulations, SRC **Board** policies, administrative procedures and rules, and the District Employee Code of Ethics; endeavor to maintain order; perform assigned job functions; and carry out directives issued by supervisors.~~

When engaged in assigned duties, dDistrict employees shall not participate in activities that include, but are not limited to, the following: [\[1\]](#)

1. Physical or verbal ~~abuse~~**misconduct**, or threat of harm, to anyone;
2. Nonprofessional relationships with students; ~~{1}~~[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)
3. Causing intentional damage to dDistrict property, facilities, or equipment;
4. Forceful or unauthorized entry to or occupation of dDistrict facilities, buildings, or grounds;
5. Use, possession, distribution, or sale of alcohol, drugs, or other illegal substances;~~[106]~~
6. Use of profane or abusive language;
7. Breach of confidential information;
8. Failure to comply with directives of dDistrict officials, security officers, or law enforcement officers;[\[4\]](#)[\[7\]](#)[\[8\]](#)
9. Carrying onto or possessing a weapon on school grounds without authorization from the appropriate school administrator.
10. Violation of SRC**Board** policies, administrative procedures and rules, and the Employee Code of Ethics;[\[4\]](#)[\[7\]](#)
11. Violation of federal, state, or applicable municipal laws or regulations;~~[4]~~ [\[7\]](#) **and**
12. Conduct that may obstruct, disrupt, or interfere with teaching, research, service, operations, administrative or disciplinary functions of the dDistrict, or any activity sponsored or approved by the SRC**Board**.

Discipline related to employee violations of this Policy will be managed through due process, with possible penalties including, but not limited to, verbal warning, written warning, reprimand, suspension, demotion, dismissal, and/or pursuit of civil and criminal sanctions. [\[7\]](#)

When discipline, including demotion or dismissal charges are filed against a represented employee and/or professional employee, a hearing shall be provided as required by applicable law and collective bargaining agreements. Non-represented and/or non-professional employees may be entitled to a hearing under the PA School Code or applicable law.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)

Pre-K Head Start:

~~District employees providing services in the Prekindergarten Head Start program shall comply with the policies and procedures and standards of conduct for program staff in addition to the requirements set forth in this policy.~~[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[16\]](#)

~~Decisions to dismiss any person who works primarily for the Prekindergarten Head Start program shall be made in accordance with the policies and procedures approved by the Prekindergarten Head Start Policy Council and the SRC **Board**.~~

Employee Reporting Requirements:

Arrest or Conviction Reporting Requirements

- An employee who is arrested or convicted of a crime shall report the arrest or conviction to the Superintendent or designee, within seventy-two hours (72) of the occurrence, in the manner prescribed in SRC policy ~~the designated procedures to this policy and applicable law.~~ [17]

An employee shall be required **immediately** to submit new criminal history background checks if the Superintendent or designee has a reasonable belief that the employee was arrested or has been convicted of any **criminal** offense. ~~required to be reported by law, and the employee has not notified the Superintendent or designee.~~ [14] [18]

Failure to accurately report such occurrences may subject the employee to disciplinary action, up to and including termination and criminal prosecution. [14] [16] [17] [18]

Child Abuse Reporting Requirements

- Employees shall report to the Superintendent or designee, in writing, within seventy-two (72) hours of notification, that the employee has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law. [16] [17] [18] [19]

- An employee shall be required immediately to submit a new child abuse history certification if the Superintendent or designee has a reasonable belief that the employee was named as a perpetrator in a founded or indicated report or has provided written notice of such occurrence. [16] [17] [18] [19]

- Failure to accurately report such occurrences may subject the employee to disciplinary action, up to and including termination and criminal prosecution. [15] [16] [17] [18] [19]

- **No employee who has been named as a perpetrator in an indicated report under the Child Protective Services Law shall be eligible for continued employment unless that employee files a request for administrative review from the Department of Human Services and expunction of the report within twenty-one (21) days of receiving notice of the status of that report.** [17] [18] [19]

An employee with a pending request with Department of Human Services for administrative review and expunction shall not be eligible for continued employment beyond eight months from the date that employee was named a perpetrator in an indicated report. However, the District retains the right to take personnel action on the basis of its own investigative findings at any time. An employee whose indicated status is reviewed and expunged may be eligible for re-employment.

Educator Discipline Act

An educator who knows of any action, inaction, or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent and his/her immediate supervisor, within fifteen (15) days of discovery of such misconduct. [3]

District Reporting Requirements:

- **The Superintendent or designee shall report to the Pennsylvania Department of Education on the required form, within fifteen (15) days of receipt of notice from an educator or discovery of the**

incident, any educator who has been provided with notice of intent to dismiss or remove for cause, notice of removal from eligibility lists for cause, or notice of intent not to reemploy for cause. [3]

School officials shall cooperate with the Pennsylvania Department of Education during its review, investigation, or prosecution, and shall promptly provide the Pennsylvania Department of Education with any relevant information and documentary and physical evidence upon request. [3]

Confidentiality:

Except as otherwise provided in the Educator Discipline Act, all information related to any complaint, any complainant, or any proceeding related to discipline shall remain confidential unless or until public discipline is imposed.[3]

Immunity:

Any person who, in good faith, files a complaint or report, or who provides information or cooperates with the Pennsylvania Department of Education or Professional Standards and Practices Commission in an investigation or proceeding shall be immune from civil liability. The District also is immune from civil liability for the disclosure of information about the professional conduct of a former or current employee to a prospective employer of that employee.[3]

Legal References:

1. **24 P.S. § 5-510**
2. **22 Pa. Code §§ 235.1, *et seq.* Code of Professional Practice and Conduct for Educators**
3. **24 P.S. § 2070.1a, *et seq.* Educator Discipline Act**
4. **Policy 300 - Employee Code of Ethics**
5. **Policy 824 - Maintaining Professional Adult/Student Boundaries**
6. **Policy 351 - Alcohol, Drug and Substance Abuse**
7. **24 P.S. § 11-1122**
8. **24 P.S. § 11-1121**
9. **24 P.S. § 11-1126**
10. **24 P.S. § 11-1127**
11. **24 P.S. § 11-1128**
12. **24 P.S. § 11-1129**
13. **24 P.S. § 11-1130**
14. **24 P.S. § 11-1151**
15. **24 P.S. § 5-514**
16. **42 U.S.C. § 9837**
17. **24 P.S. § 11-111**
18. **23 Pa. C.S.A. § 6344.3**
19. **23 Pa. C.S. § 6341(a)(2)**
1. ~~Policy 824 - Maintaining Professional Adult/Student Boundaries~~
2. ~~22 Pa. Code §§ 235.1, *et seq.*~~
3. ~~24 P.S. § 2070.1a, *et seq.*, Educator Discipline Act~~
4. ~~24 P.S. § 11-1122~~
5. ~~24 P.S. § 11-1126~~
6. ~~24 P.S. § 11-1127~~
7. ~~24 P.S. § 11-1128~~
8. ~~24 P.S. § 11-1129~~
9. ~~24 P.S. § 11-1130~~

10. [Policy 351](#) - Alcohol, Drug and Substance Abuse
11. ~~42 U.S.C. § 9837~~
12. ~~45 CFR § 1301.31~~
13. ~~45 CFR § 1304.50~~
14. ~~23 Pa. C.S.A. § 6344.3~~
15. ~~23 Pa. C.S. § 6341(a)(2)~~
16. ~~24 P.S. § 11-111~~

Administrative Procedures:

317 administrative procedure