

Standards of Conduct

The School expects all employees to conduct themselves in a professional and ethical manner, consistent with state and federal laws and educator standards established by Administrative Rules of the Utah State Board of Education (USBE) and other state agencies. If employees are not sure if an action is ethical or proper, they should discuss the matter openly with their supervisor or the school director/principal. An employee should not conduct business that is unethical in any way, nor should an employee influence other employees to act unethically. Furthermore, an employee should report any dishonest activities or damaging conduct to an appropriate supervisor.

In the event that you become aware of another employee's behavior or actions, which you believe are inappropriate, illegal, problematic, or in any way inhibit or affect your job performance or the School's work environment, you should discuss such behavior or actions with the Director/Principal, your supervisor or following School policy and procedures, the Board of Directors.

School will promptly, thoroughly and confidentially investigate all reasonable concerns and, where necessary, appropriate corrective action will be taken. You may not discuss such actions or behavior with other School employees except as directed by School. Your discussing such matters with other employees may – in and of itself – create an unacceptable work environment for which you will be held responsible and for which you may be disciplined in accordance with School's disciplinary policy.

Orderly and efficient operation of the School requires that employees maintain proper standards of conduct and observe certain procedures. Federal, State laws, and USBE Rules provide guidance on standards of conduct for all employees in public charter schools. *Nothing herein is intended or shall be construed to change or replace, in any manner, the "at-will" employment relationship between the School and the employee.* The School views the following as inappropriate behavior. These guidelines are not intended to be all-inclusive:

1. Negligence, carelessness or inconsiderate treatment of persons within the school community (students, parents, peers, school leaders, vendors, etc.).
2. Willfully or carelessly damaging, defacing or mishandling property of a student, family, the School, or employees.
3. Theft, misappropriation or unauthorized possession or use of property, documents, records or funds belonging to the School, or any student, parent or employee. Removal of same from School premises without authorization.
4. Divulging confidential information, of any kind, to any unauthorized person(s) or without an official need to know.
5. Obtaining unauthorized confidential information pertaining to students, families or employees.
6. Changing or falsifying School records, personnel or pay records, including time sheets without justification and authorization.
7. Taking or giving bribes of any nature, or anything of value, as an inducement to obtain special treatment, to provide confidential information, or to obtain a position. Acceptance of any gratuities or gifts may be illegal and must be reported to a supervisor or manager.
8. Entering School premises or using School facilities or equipment without authorization while off-duty, or during out-of-session time.
9. Willfully or carelessly violating security, safety, or fire code practices/regulations.
10. Unauthorized use of a personal vehicle for School business.

11. Rude, discourteous or un-businesslike behavior; creating a disturbance on School premises or creating discord with students, families or fellow employees; use of abusive language.
12. Insubordination or refusing to follow instructions from a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements. Failure to follow instructions may result in disciplinary action up to and including termination of employment.
13. Failure to observe scheduled work hours, failure to contact a supervisor or manager in the event of illness or any absence within thirty (30) minutes of the scheduled start of work; failure to report to work when scheduled; unauthorized or excessive use of sick leave or any other leave of absence.
14. Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
15. Sleeping or loitering during regular working hours or scheduled work time.
16. Recording time for another employee or having time recorded to or by another employee on your behalf.
17. Use or possession of intoxicating beverages or illegal use or possession of narcotics, marijuana or prescription or over-the-counter (OTC) drugs (under state, federal or local laws), on School premises during working hours or reporting to work under the influence of intoxicants or drugs so as to interfere with job performance. Having any detectable amounts of illegal drugs (including the illegal consumption of OTC or prescription drugs) in an employee's system. The school reserves the right to require employees suspected of being under the influence of a substance that may be impairing an employee's ability to perform Essential Job Functions in a safe, coherent and orderly manner to submit to drug and/or substance testing as a condition of and for continued employment at the School.
18. Unlawful possession of a weapon on School premises.
19. Illegal gambling on School premises.
20. Soliciting, collecting money, vending, and posting or distributing bills or pamphlets on School property. These activities are closely controlled in order to prevent disruption of School services and to avoid unauthorized implication of School sponsorship or approval. *However, this general rule is not intended to hinder or in any way curtail the rights of free speech or free expression of ideas.* Therefore, such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the orderly and regular conduct of the School business, is lawful, in good taste, conducted in an orderly manner, and does not create safety hazards or violate general good housekeeping practices. Any person who is not an employee of the School is prohibited from any and all forms of solicitation, collecting money, vending, and posting or distributing bills or pamphlets on School property at all times. The School reserves the right to limit or stop solicitation activities that disrupt the School community in any way.
21. Falsification of one's employment application, insurance or benefit forms, or employment history.
22. Consistent with state law, the School reserves the right to choose not to employ persons whom any employment action was taken or discipline imposed for the physical abuse or sexual abuse of a child or student.
23. Illegal or un-professional conduct, on or off School premises, which adversely affects the School, property, reputation/goodwill in the community, or interferes with an employee's ability to serve as a *role model for youth, having care for or custody over children*, as defined in state law, administrative rules and school policies. *Employees must understand that according to state law and administrative rules, an employee's behavior off campus, in an employee's personal life, may result in disciplinary action at School up to and including termination of employment.*

Ethics Policy

Our School conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations. We are committed to conducting its business with integrity underlying all relationships, including those with students, parents, staff, suppliers and the school community. The highest standards of ethical conduct are required of our employees in performance of their duties. Employees will not engage in conduct or activity that may raise questions as to the School's honesty, impartiality or reputation or otherwise cause embarrassment to the School. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

Using your position for private gain.

Giving preferential treatment to any person or entity.

Adversely affecting the confidence of the public in the integrity of the School.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this policy. The school will maintain a program to communicate to employees its commitment to integrity and uncompromising values. The program will inform employees of policies and procedures regarding ethical conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use these reporting mechanisms to raise genuine concerns will not be tolerated.

The principal or director is responsible for providing policy guidance and issuing procedures to assist employees in complying with the School's expectations of ethical conduct and uncompromising values. This policy constitutes the standards of ethical conduct required of all employees.

Conflicts of Interest

The School and its employees have a duty to avoid real, perceived or potential conflicts of interest. A conflict of interest is defined as an event or transaction where an employee is in a position to influence a decision or have business dealings on behalf of the School that might result in personal gain for the employee and/or one of their relatives. Examples of conflict of interest include, but are not limited to, accepting gifts of any value associated with procurement or other business dealings, requesting or granting favors, conducting undisclosed or undeclared business for personal gain. A conflict of interest for personal gain can result from situations where you or a relative receives a bribe, gift, special consideration or kick-back as a result of a transaction involving the School.

School employees may not transact undisclosed business when a conflict of interest is present. Failure of an employee to declare a conflict of interest in writing to the School Director, business office and/or the Governing Board prior to business dealings where a conflict of interest is present may be subject to disciplinary action, up to and including termination of employment and may be subject to criminal prosecution. All School employees shall follow applicable laws or administrative rules associated with conflicts of interest.

Business Gifts

The School wants at all times to avoid the appearance of impropriety in the acceptance of gifts from business contacts or clients. It is the express policy of the School that employees are prohibited from,

either directly or indirectly, asking, demanding, exacting, soliciting, or seeking, anything of value for oneself or for any other person or entity.

It is the express policy of the School that employees are prohibited from, either directly or indirectly, accepting, receiving, or agreeing to receive anything of value for oneself or for any other person or entity (other than employee pay checks from the School) for or in connection with any transaction or business of the School that is unlawful, or has a value of \$10 or more, not to exceed \$50 from a single individual (including a company or vendor) in a calendar year. If an employee is promised, offered, or given anything of value from any member, perspective member, customer, or perspective customer for or in connection with any transaction or business of the School, employees are to advise their supervisor or manager at once.

Unlawful Harassment and Sexual Harassment

School will endeavor to maintain a work environment that nourishes respect for the dignity of each individual and affirms its commitment to provide a work environment free from intimidation and harassment. Unlawful harassment and sexual harassment are prohibited behavior and are against School policy. The School is committed to providing a work environment free of inappropriate and disrespectful behavior, intimidation, communications and other conduct directed at an individual, including conduct that may be defined as sexual harassment.

Unlawful Harassment

Prohibited harassment on the basis of race, color, religion, national origin, ancestry, physical or mental disability, veteran status, age, or any other basis protected under local, state or federal law, includes behavior such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement;
- Retaliation for reporting harassment or threatening to report harassment.

Retaliation

It is against School policy and unlawful to retaliate in any way against anyone who has lodged a harassment complaint, has expressed a concern about harassment, including sexual harassment, or has cooperated in a harassment investigation. Therefore, the initiation of a complaint, in good faith, shall not under any circumstances be grounds for disciplinary action. However, individuals who make complaints that are demonstrated to be intentionally false may be subject to disciplinary action, up to and including termination.

Sexual Harassment

Applicable federal and state law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

1. Submission of the conduct is made a term or condition of employment.
2. Submission to or rejection of the conduct is used as basis for employment decisions affecting the individual.

3. The conduct has the purpose or effect of unreasonably interfering with the employees work performance or creating an intimidating, hostile, or offensive working environment.

The following list contains *examples* of prohibited conduct. They include, but are not limited to:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters.
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct such as touching, assault, or impeding and/or blocking movements.
- Retaliation for reporting harassment or threatening to report harassment.

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for the School, such as students/family members, relatives of family members or vendors.

Enforcement

All managers and supervisors are responsible for:

- Implementing the School policy on harassment, which includes, but is not limited to, sexual harassment and retaliation.
- Ensuring that all employees they supervise have knowledge of and understand the School policy.
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and.
- Conducting themselves in a manner consistent with the policy.

Harassment Complaint Procedure

The School's Complaint Procedure provides for an immediate, thorough and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment, or harassment may exist even if the employee has not lost a job or some economic benefit.

Anyone who has been subjected to conduct prohibited under this policy, or who has knowledge of such conduct, should report this information to his/her manager, any other manager with the School, to the school director/principal, the business office (human resources) or, following appropriate procedures, the School Board President without delay. However, employees are not required to report any prohibited conduct to a superior whom is the alleged offender, hostile, who has engaged in such conduct, who is a close associate of the person who has engaged in the conduct in question or with whom the associate is uncomfortable discussing such matters. Complaints regarding harassment or

retaliation may be oral or in writing. If an oral complaint is made, the person reporting (the victim, another employee or person) may be required to provide a written statement as part of an investigation. Any individual who makes a complaint that is demonstrated to be intentionally false, may be subject to discipline, up to and including termination.

All reported incidents of prohibited harassment will be promptly investigated. When the investigation is complete, a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser. During the investigation, confidentiality will be preserved to the fullest extent possible without compromising the School's ability to conduct a good faith and thorough investigation.

If the School determines that prohibited harassment has occurred, the School will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited harassment is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

The School recognizes that actions that were not intended to be offensive may be taken as such. An employee who believes that he or she has been subjected to sexual harassment by anyone is encouraged to promptly tell the person that the conduct is unwelcome and ask the person to immediately stop the conduct. A person who receives such a request must summarily comply with it and must not retaliate against the employee for rejecting the conduct. *The School encourages, but does not require, individuals to take this step before utilizing the above Complaint Procedure.*

Anti-Bullying

In addition to the School's anti-harassment policy, the School believes it necessary to delineate a policy regarding workplace bullying. Workplace bullying has numerous negative effects on both individual employees and the School as a whole. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale, create a hostile work environment and increase legal risks.

The School believes all employees should be able to work in an environment free of bullying.

Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate or undermine; or which create a risk to the health or safety of the employee(s). Some examples of workplace bullying include repeated acts such as:

- Unwarranted or invalid criticism
- Blame without factual justification
- Being treated differently than the rest of the employees in a work group
- Being the target of cussing or disrespectful language
- Exclusion or social isolation
- Being the target of shouting or other behavior intended to humiliate the employee
- Excessive "prank" jokes or teasing of an employee

The School considers workplace bullying unacceptable and will not tolerate it under any circumstances. Supervisors and managers are to assume the responsibility to ensure employees are not bullied. Any employee who bullies a co-worker will be subject to disciplinary action, up to and including termination of employment.

The School encourages all employees to report workplace bullying to a supervisor or manager with whom employees are comfortable speaking, or directly to his/her supervisor, manager or designee. All complaints of workplace bullying will be treated seriously and investigated promptly. In the investigation process, the School will attempt to maintain confidentiality to the fullest extent possible.

It is a violation of School policy to retaliate or otherwise victimize an employee who makes a complaint or a witness who serves in the investigation of the workplace-bullying allegation.

Safe School Environment

The school strives to provide a safe and nurturing learning environment for students and staff. With regard to providing a safe school environment:

1. Employees are expected to maintain a high ethical and professional standard in interactions with both adults and minors on and off campus. Employees understand that working in a school means that, consistent with state law and administrative rules, employees serve as a role model for youth and have care for or custody over children. Employees' behavior off campus has an effect on an employee's employment because of the nature of being in the profession of caring for and having custody over children.
2. Employees are prohibited from using physical discipline in any way (including corporal punishment) for the behavior management of students, except insofar as restraint may be necessary, upon reasonable determination, to prevent a student from inflicting harm on themselves or others, in which case a detailed written record of the incident must be made.
3. All employees must comply with state and federal law and administrative rules of the USBE including specific rules prohibiting Boundary Violations of an inappropriate nature. A Boundary Violation means crossing verbal, physical, emotional or social lines that an employee must maintain at all times—it means an inappropriate relationship with students. Boundary Violations may include:
 - a. Isolated, one-on-one or small group interactions with students.
 - b. Meeting with students in rooms with covered or blocked windows.
 - c. Telling risqué jokes to, or in the presence of students.
 - d. Employing favoritism to a student.
 - e. Giving gifts to individual students.
 - f. Writing inappropriate personal notes to individual students.
 - g. Employee-initiated frontal hugging or other unwanted touching.
 - h. Photographing students for non-educational purposes.
 - i. Inappropriate or unprofessional contact outside of educational program activities.
 - j. Exchanging personal info, phone numbers, e-mail or personal social media interactions with a student for non-educational purposes.
 - k. Interacting privately with a student(s) through social media, computer or handheld devices.
 - l. Discussion an employee's personal life or personal issues with a student.
 - m. Grooming.
 - n. Other activities causing inappropriate Boundary Violations with students.

1. Employees may not allow isolated, one-on-one or small group interactions with students out of the line of sight of others. Employees must schedule one-on-one counseling sessions or meetings with minors in open locations (common areas) and at times and locations that promote accountability. One-on-one or small group interactions with students must be held in an open-room setting *without closed doors or in any isolated location in the school*. An isolated location may include an infrequently traveled hallway, even if the classroom door is open. The location must be readily and frequently observable by others who are near the room, hallway or other area. Extra-curricular activities, after school programs, or special instruction sessions shall not be conducted by only one adult. Employees must meet accepted standards of propriety. Clear professional boundaries must exist between minors and adults—to protect both minors and employees.
2. Employees shall not engage in any form of unlawful, unacceptable or offensive behavior with students, parents/legal guardians, staff or visitors to the school which may include, but is not limited to (a) verbal harassment, such as derogatory comments, jokes, or slurs; (b) visual harassment, such as derogatory or sexually explicit printed material, books, magazines, posters, cards, calendars, cartoons, graffiti, drawings, notes, clothing or gestures, etc.; (c) sexual harassment or other physical conduct or contact of a sexual nature; (d) physical harassment, such as inappropriate touching, hitting, kicking, grabbing or any other form of aggressive, abrasive or harassing physical contact, etc.; (e) other behavior deemed offensive or inappropriate by school administration or generally accepted social standards.
3. Unless the school has a parent or legal guardian's knowledge and consent in the form of a written permission slip for an official school activity, or an employee is in a formal (personal) carpool with another family at the school, employees shall never drive students in personal vehicles at any time. Employees in a personal carpool with another family are required to disclose the carpool arrangement to the principal/director. When authorized to do so, employees will operate personal or school vehicles in accordance with the law and the Driving Safety section (above). Employees may not use a cellular phone or other electronic devices while transporting students or driving on school business.
4. Employees shall not be alone in locker rooms or other dressing rooms with a single or small group of students without another adult present. Employees may not be present in these areas while students are changing unless student behavioral issues warrant the presence of adults. At least 2 (two) staff members of the same sex (and the same sex of subject students) must be present during these times. Employees may not enter restrooms, locker rooms or dressing rooms of the opposite sex while students are present. School administrators and other staff members are available to assist employees when difficulties arise and employees are required to enter one of these areas. Employees must seek out others for assistance as outlined.