

## 04-04. Code of Ethics and Conduct Policy

<b>Internal Policies and Procedures of the Utah State Board of Education</b>	
<b>Policy</b>	04-04
<b>Subject</b>	Code of Ethics and Conduct
<b>Date</b>	April 1, 2022
<b>Policy Owner</b>	Director of Human Resources
<b>Policy Officer</b>	Deputy Superintendent for Operations
<b>References</b>	Utah Code Annotated Chapter 67, Part 16, Utah Public Officers' and Employees' Ethics Act DHRH Administrative Rule <a href="#">R477-9, Employee Conduct</a> Governor's Executive Order (EO 002 2014), Establishing an Ethics Policy for Executive Branch Agencies and Employees, <a href="http://www.rules.utah.gov">www.rules.utah.gov</a> , issued 06/02/2014

### I. Purpose and Scope

- The purpose of this policy is to outline and set ethical expectations for USBE employees in their positions of public trust, furthering the public's confidence in government and public education, to protect against any perception of wrongdoing, and to establish USBE's expectations regarding employees' behavior towards their colleagues, supervisors, and overall organization.
- This policy applies to all USBE employees, contractors, interns, and volunteers (collectively referred to as "USBE employees" throughout this policy).
- This policy relies on the following definitions:
  - *Family member*: A USBE employee's spouse, siblings, step-siblings, siblings-in-law, parents, step-parents, parents-in-law, children, step-children, children-in-law, and any person living in the same household as the employee.
  - *Lobbying*: To receive compensation or other remuneration, including personal benefit, for attempting to influence state or local public education board members or public education executive officers.

### II. Policy

- It is the policy of USBE that employees will:
  - Be ethical in all job activities and personal interactions.
  - Treat coworkers, supervisors, customers, and others with courtesy and respect at all times.
  - Make decisions based on the best interests of public education students and the public, without influence by those who may seek special favors, and without regard to personal gain.

### III. Procedures

#### *Core Values*

- Employees shall:
  - Demonstrate support of the mission, vision, and values of the Board and Superintendency, and abide by the USBE's administrative rules, internal policies, and procedures that govern the work or professional activities of the employee; and
  - Observe both the letter and spirit of laws, rules, and policies.

#### *Transparency and Trust*

- Employees shall:
  - Recognize that being employed as a state employee is a position of trust that should only be used to advance public interests, and not personal gain;
  - Represent oneself and the USBE ethically, and avoid all appearance of impropriety;
  - Base decisions and actions on facts free from partiality or prejudice, and unimpeded by conflicts of interest;
  - Conduct business openly, efficiently, equitable, and honorably;
  - Avoid relationships or commitments that would knowingly conflict with the best interests of customers or the USBE;
  - Avoid impropriety, and the appearance of impropriety, to maintain public confidence in the integrity of USBE; and
  - Make prudent and frugal use of USBE funds, equipment, buildings and supplies.
- Employees shall not:
  - Use state or public resources for a personal purpose, benefit, or gain (this does not prohibit an incidental benefit);
  - Exploit relationships with USBE customers for personal advantage, nor solicit USBE customers for private practice; or
  - Use the employee's position or information acquired through the position to coerce or otherwise influence the public or customers for personal favors or personal gain for themselves or others.

#### *Professionalism*

- Employees shall:
  - Apply oneself and fulfill assigned duties during the time for which the employee is compensated;
  - Be respectful and kind to the public and co-workers by:
    - Communicating appropriately through words and body language;
    - Identifying, understanding, and anticipating the needs of customers by being attentive, knowing their time requirements, and communicating clear messages;

- Being sensitive to cultural differences and physical abilities; and
  - Instilling trust and confidence by treating others with dignity and courtesy, and making them feel welcome and important.
- Report to work fit for duty and will not be under the influence of alcohol or illegal drugs, or otherwise impaired due to abuse of prescribed drugs;
- Be appropriately groomed and dressed by wearing clean, well-maintained, and professional attire that is appropriate to the type of work and interactions the employee performs (torn, patched/faded clothing, revealing shirts, skirts shorter than mid-thigh, and shirts with obscene or foul language are examples of unacceptable attire);
- Demonstrate predictable and reliable attendance and report to a regularly-scheduled work shift on time; and
- Work with managers and make every effort to maintain appropriate skills for the employee's job assignments.
- Employees shall not:
  - Be insubordinate, disloyal, or disrespectful to the orders of a supervisor or manager, unless such order is reasonably believed to be in violation of this policy, or other established policy, rule, or statute;
  - Cause unnecessary disruption to their co-workers or to the workplace; or
  - Misuse sick leave or overtime privileges.

#### *Data and Records*

- Employees shall not:
  - Disclose confidential information to any person, agency, or entity without prior authorization;
  - Falsify, knowingly enter, or cause to be entered any false or improper information in USBE records;
  - Wrongfully destroy a record, report, or claim; or
  - Disclose a password to another person who is not authorized to have the password.

#### *Lobbying and Nepotism*

- Employees shall not:
  - Knowingly permit a former employee to lobby the current USBE employee unless a one- year period has passed since the former employee's employment was terminated;
  - Participate in any hiring or employment decision related to a family member;
    - If a hiring or employment matter arises relating to a family member, the employee shall notify the employee's supervisor of the relationship and be recused from all discussions or decisions related to the matter; and
  - Take part in any contracting decisions relating to a family member, or

relating to any entity in which a family member is an officer, director, or partner, or in which a family member own or controls 10% or more of the stock in such entity.

- If a contracting matter arises relating to a family member, the employee shall notify the employee's supervisor of the relationship and be recused from all discussion or decisions relating to the matter.

#### *Relationships*

- Employees shall not:
  - Participate in intimate or sexual relationships outside of the workplace with co-workers or customers that affect the ability of the Board and its employees to provide services, become disruptive in the workplace, or cause the public to lose confidence with the USBE's ability to provide appropriate services;
  - Use their position of authority (manager, supervisor, etc.) to harass, discriminate against, or become involved in sexual relationships with their subordinates or other USBE employees.

#### *Gifts*

- Employees shall:
  - Report annually to the employee's supervisor all gifts received in the employee's official conduct of business;
  - For any gifts that cannot be accepted, the employee may return the gift, pay the giver its market value, or donate the gift to the state of Utah or to an education-related non-profit entity. If the gift is perishable or not practical to return, the employee may share the gift with coworkers or donate it to charity.
- Employees shall not:
  - Accept a gift or other compensation that might be intended to influence or reward the employee in the performance of official business; or
  - Accept gifts other than allowed by this policy, even though Utah Code Section 67-16-5 allows for certain non-monetary gifts under \$50.
  - For purposes of this policy, gifts do not include:
    - Gift cards of \$25 or less;
    - Campaign contributions received in accordance with Utah Code Title 20A, Chapter 11;
    - Food, refreshments, or meals of limited value;
    - Items or mementos of nominal value such as pens or pencils;
    - Rewards and prizes open to the general public or all public employees;
    - Plaques or mementos recognizing service;
    - Gifts from extended family members or personal friends;
    - Small efforts of common courtesy or other services of nominal monetary value such as meeting refreshments, pens/pencils, computer mouse pads, or post-it notes with logos;
    - Funeral flowers or memorials; or

- Attendance or participation at events sponsored by another governmental entity or a group for which the State Board of Education has responsibility.

#### *Driving*

- If an employee drives a vehicle as part of assigned duties, the employee shall:
  - Have a current, valid Utah driver's license;
  - Complete the driver's safety course once per year as required by the Division of Risk Management; and
  - Promptly report any driver's license suspension or revocation to their supervisor.

#### *Reporting and Violations*

- Employees may consult their immediate supervisor, any other supervisor in their direct chain of command, or the Division of Human Resource Management regarding legal, ethical, or personal benefit questions.
- If an employee is concerned about a potential violation of this policy, they may report it verbally or in writing to their immediate supervisor, any other supervisor in their direct chain of command, or the Division of Human Resource Management.
- Reports may be submitted by any employee, witness, volunteer, or other individual.
- Any supervisor who has knowledge of unethical behavior shall take immediate, appropriate action in consultation with DHRM and shall document the action.
- Any violation of this policy may result in disciplinary and/or legal action, as appropriate. Violations of this policy will be investigated and handled in accordance with the USBE's established disciplinary procedures.

#### **IV. History**

This policy supersedes the former Code of Ethics policy that was established March 12, 2018, and the Code of Conduct policy that was established February 7, 2018.