
Living Our Values

Code of Conduct Handbook

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Letter from the Superintendent



February 1, 2017

Dear Colleagues:

This Code of Conduct was created to support you and your valued contributions to the work we do at the Santa Clara County Office of Education.

As the introduction says, it is our intention to conduct all aspects of our operations “with the highest moral, legal, and ethical principles.” The Code of Conduct is designed to offer assistance and clarity as we strive toward that goal.

From information on accounting standards to reminders about appropriate use of technology, the Code of Conduct provides us with a tool that serves as a quick reference, and as a reminder of the expectations we have set for ourselves.

The SCCOE has a long tradition as a workplace that sincerely values every staff member, and every person we serve.

Thank you for your support of that tradition.

Respectfully,

A handwritten signature in black ink that reads "Jon Gundry".

Jon R. Gundry
County Superintendent of Schools

Mission Statement

Santa Clara County  Office of Education

FRAMING OUR FUTURE

Mission

The Santa Clara County Office of Education is committed to serving, inspiring, and promoting student and public school success.

Vision

Transforming Education through Leadership, Service, and Advocacy

Goals

Improve student equity and access to high quality education

Provide support to districts, communities, schools, and students

Be a premier employer

Improve organizational effectiveness and efficiency

Values

Students First	Collaboration
Innovation	Service

Introduction

It is the intention of the Santa Clara County Office of Education (SCCOE) to conduct all aspects of its operations with the highest moral, legal, and ethical principles. In that regard, the superintendent, chiefs, managers, classified and certificated staff, classroom staff and all other employees, including substitutes, and volunteers and contractors (collectively referred to herein as “staff”) shall, adhere to, comply with, and advocate the principles set out in this Code of Conduct governing their professional and ethical conduct in the fulfillment of their responsibilities.

Code of Conduct

a) Legal Requirements

The SCCOE will conduct its operations in compliance with the laws of all jurisdictions. In any instance where the laws are difficult to interpret, management will seek legal advice.

b) Relationships with Customers and Suppliers

Sales and purchases by the SCCOE shall be based on price, quality, and service. Prime consideration should be given to the SCCOE's interests while developing long-term relationships with customers and suppliers. If you are unsure about a potential conflict of interest, please contact your direct supervisor or the Chief Human Resources Officer or designee for advice.

An SCCOE employee shall not:

- Accept or solicit any gift, favor, or service that might reasonably influence him or her in the discharge of official duties, or that employee knows or should know is being offered with intent to influence his or her official conduct.
- Accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce him or her to disclose confidential information.
- Accept other employment or compensation which could reasonably be expected to impair the employee's independence of judgment.
- Make personal investments that could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.
- Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
- Hold financial interests that are in conflict with the conscientious performance of his or her official duties.
- Use his or her public office or position for private gain.

An Employee shall:

- Act impartially and not give preferential treatment to any private or public organization or individual.
- Protect and conserve public property and shall not use it for other than authorized activities.
- Promptly disclose waste, fraud, abuse, corruption, and noncompliance with federal and state laws to appropriate authorities.
- Endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of the SCCOE.

Code of Conduct

c) Relationships with Staff

All staff must operate under sound personnel practices and policies, which are characterized by fairness and equity to all.

- Sexual harassment of SCCOE staff or students will not be tolerated. Under State Education Code Section 212.5, sexual harassment has been defined as “unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature.”
- The SCCOE is committed to providing a workplace free of discrimination as well as harassment, based on such factors as sex, race, color, religion, national origin, sexual orientation, ancestry, age, medical condition, marital status, disability, or veteran status.
- Any deliberate act which might endanger the safety or lives of others is prohibited. Threatening, intimidating, or coercing fellow employees or students is prohibited.
- Unlawful harassment of any form, including verbal, physical and visual contact, threats, demands and retaliation, is not allowed. Harassing behavior, whether visual, physical, verbal or by way of telephone, mail, or electronic mail is strictly prohibited.

d) Relationships with Students

All staff must operate under the highest standards of conduct set forth by federal, state, local regulations, and SCCOE policies and procedures, without exception.

- Respect the confidentiality of all students, including their histories and disabilities.
- Refrain from sharing confidential information in public, showing written records to unauthorized personnel, sharing information about another student to a parent; or using a student’s name in email.
- Each student must be treated with dignity and respect as a human being at all times. Students with disabilities have a right to be respected as a whole person and not judged by their disability.
- The SCCOE maintains a deeply held belief that all students in our care can learn.

e) Comments About Others

Employees must not engage in communications that are defamatory, obscene, offensive, disruptive, or harassing. This includes sexual comments or images; racial slurs; gender-specific comments; or any offensive comments about age, sexual orientation, religious or political beliefs, national origin, or disability.

Code of Conduct

f) Conflict of Interest

Conflicts can arise in many situations. They occur most often in cases where the staff member, or a member of his or her immediate family, obtains some personal benefit at the expense of the SCCOE's best interests. Staff members are expected to avoid any activity, investment or association that interferes with the independent exercise of their judgment in the SCCOE's best interest.

g) Use of Electronic Communication, Information Systems, and Confidentiality

- All staff are required to read and sign the 'Employee Use of Technology Agreement.'
- All equipment, including telephone, email, voicemail, fax, copiers and Internet access systems are to be used for business-related purposes, except when their infrequent and brief use for personal communication is necessary and when not in conflict with the work of the office.
- Pass codes should never be shared except under special circumstances, and should be changed periodically to protect confidentiality.
- The full names of students and staff should never be used in confidential electronic messages; so that confidentiality is maintained, only their first names should be used. Confidential communications and information should never be sent or forwarded to individuals or agencies not authorized to receive that information. Employees should not disclose personal information.
- Copying or transmitting any documents, software, or other information protected by copyright law or trade secret is not allowed.

h) Political Contributions

In many cases the SCCOE is prohibited from making any contributions or expenditures in connection with an election, as well as engaging in any activity that furnishes something of value to an election campaign.

Prohibited as a matter of SCCOE policy are indirect contributions of SCCOE funds made either through a third person or entity, or through a staff member who receives or expects to receive reimbursement out of SCCOE funds.

Staff are encouraged to participate in the political process and are free to make personal campaign contributions. However, SCCOE funds or resources shall not be used directly or indirectly for contribution to political parties or candidates, even where permitted by local law.

Code of Conduct

Under certain circumstances, the SCCOE may provide information about legislation or ballot measures that affect the welfare of the SCCOE, its staff, or the community in which the SCCOE operates. Use of the SCCOE's name for these purposes requires prior approval by the SCCOE Board of Education.

No staff may, on behalf of the SCCOE, request assistance, outside the normal contracting process, of any elected representative or government officer without prior approval of the superintendent.

i) Accounting Standards and Obligations for Financial Reporting

The SCCOE shall keep and maintain its accounting records in such a manner that accurately and fairly reflects the transactions and dispositions of the assets of the SCCOE in reasonable detail. All assets, liabilities, revenues, and expenses shall be recorded in the regular books and records of the SCCOE. All transactions shall be supported by documents that fully describe the purpose of the transaction. A system of internal controls shall be developed and maintained to monitor the adherence to these standards.

As a public entity, the SCCOE is required to follow strict accounting principles and standards, to report financial information accurately, completely and in a timely manner to interested parties. These principles and standards are supported by appropriate internal controls and processes to ensure that accounting and financial reporting comply with federal and state laws. All staff of the SCCOE must comply with these requirements.

The rules for accounting and financial reporting require the proper recording of, and accounting for, revenues, expenses, assets and liabilities. Therefore, staff must accurately and completely record and report all information, and must not assist anyone to record or report any information inaccurately or in a way that could be misleading.

The County Superintendent of Schools, Chief Business Officer and the Internal Business Services Department are bound by the SCCOE's Code of Conduct as well as the following financial principles:

- Ensure full, fair, accurate, timely, and understandable disclosure in reports and documents that the SCCOE files with, or submits to, government agencies and in other public communications.
- Comply with rules and regulations of federal, state and local governments, and other appropriate private and public regulatory agencies.
- Achieve responsible use of and control over all assets and resources employed by the SCCOE.

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Violations of laws associated with accounting and financial reporting can result in fines, penalties, and imprisonment, and can lead to a loss of public faith in an organization. All staff are required to report, or cause to be reported, any such perceived violations. Violations of this Code of Conduct, including failures to report potential violations by others regarding financial responsibilities, will be viewed as a severe disciplinary matter that may result in personnel action, up to and including termination of employment.

j) Disclosure, Reporting, Whistle Blower Protection, and Resources

All SCCOE staff should use discretion when reporting evidence of activity by a SCCOE department or staff that may constitute a violation of this Code of Conduct, any board policy outlined, or any potential illegal or unlawful activity, including:

- Harassment
- Discrimination
- Conflicts of interest
- Fraud
- Financial reporting and disclosure concerns
- Accounting controls and procedures
- Other potential improper activities

The report of any perceived violation can be either oral or in writing to the staff member's immediate supervisor, to someone higher in the management structure, to the Director of Human Resources, or to the Chief Human Resources Officer or designee. In instances where staff is not satisfied with the supervisor's or manager's response, or is uncomfortable for any reason addressing such concerns to their supervisor or the manager, staff may contact the County Superintendent of Schools.

Any SCCOE staff member who in good faith reports such a violation will be protected from threats of retaliation, discharge, or other types of discrimination including but not limited to compensation or terms and conditions of employment that are directly related to the disclosure of such reports.

If staff is anxious for any reason about contacting anyone at the SCCOE about whether something they have observed or learned might be a violation of the Code of Conduct, CONCERN: EAP can provide support. Just call CONCERN at 800-344-4222 and ask to speak with a counselor. Staff can be sure that interaction with a counselor will remain entirely confidential. Staff can remain anonymous if they choose to do so. In any event, nothing will be revealed to the SCCOE unless and until staff chooses to reveal themselves.

Code of Conduct

The SCCOE will make every effort to maintain, within the limits allowed by law, the confidentiality of anyone requesting guidance or reporting questionable behavior or other matters of concern under the Code of Conduct.

k) Accountability and Reporting

All staff are expected to behave in a professional, ethical, and exemplary fashion. There may be occasions, however, when an individual's actions are determined to be in conflict with the Code of Conduct, and, in most of these cases, that individual will first be notified to cease such conduct. Failure to cease such conduct will subject the individual to disciplinary action, which may include termination of employment. Behavior that constitutes a serious breach of this Code of Conduct may lead directly to immediate suspension or termination of employment as specified in bargaining unit agreements and the Education Code.

The Chief Human Resources Officer (or designee) shall promptly determine actions to be taken in the event of violations of the Code of Conduct by any staff. In determining what actions are appropriate in a particular case, the Chief Human Resources Officer (or designee) shall act consistently and shall take into account relevant information.

l) Responsibility and Implementation

At least once annually, managers shall review with staff the Code of Conduct and other more specific standards of business conduct within their areas of management..

References

SCCOE References

Purchasing Unit's Web Page

<http://www.sccoe.org/depts/bizserv/purchasing/pages/default.aspx>

Official Documents

Employee Use of Technology Agreement – AR4040

Staff Handbook – Procedure and Behavioral Expectations

(Available in the Human Resources Branch at 408-453-6820)

Other References

Hartman, William T. and Stefkovich, Jacqueline A. 2005

Ethics for School Business Officials

Lanham, MA: Association of School Business Officials International

Web Sites

Markkula Center for Applied Ethics

<http://www.scu.edu/ethics/>

Signature Page

Code of Conduct – *Living Our Values*

I have read, understand, and agree to abide by the SCCOE Code of Conduct, Living Our Values.

Name _____ Home Phone _____

Signature _____ Date _____

Last Four Digits of Social Security Number XXX - XX -

Address _____

Status:

Employee Substitute Volunteer Contractor Other _____

Note: This agreement will be kept in the employee's personnel file.

County Board of Education

Michael Chang
Joseph Di Salvo
Darcie Green
Rosemary Kamei
Grace H. Mah
Claudia Rossi
Anna Song

County Superintendent of Schools

Jon R. Gundry



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Committed to Serving, Inspiring and Promoting Student and Public School Success