

1.9. TCA Employee Conduct and Welfare **Standards of Conduct**

Texans Can Academies is committed to the highest possible standards of ethical, moral and legal business conduct. In conjunction with this commitment and Texans Can Academies' commitment to open communication, the employee compliance hotline aims to provide an avenue for employees to raise concerns and reassurance that they will be protected from reprisals or victimization for whistleblowing in good faith. Please see the Appendix G for details. Employees wishing to access **ETHICS AND COMPLIANCE HOTLINE** may do so at (833) 580-0002 or by going to www.lighthouse-services.com/texanscan.org.

All employees are expected to work together in a cooperative spirit to serve the best interests of Texans Can and its campuses, and to be courteous to students, one another, and the public. Employees are expected, at a minimum, to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify an immediate supervisor as early as possible in the event of an absence or tardy. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence, may be cause for disciplinary action.
- Know and comply with department and campus policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use Texans Can time, funds, and property for authorized Texans Can business and activities only.

All employees should perform their duties in accordance with state and federal law, Texans Can policies and procedures, and ethical standards. Violation of policies,

regulations, or guidelines may result in disciplinary action up to, and including, termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to the State Board of Educator Certification (“SBEC”) no later than the **seventh** (7th) business day after the superintendent/senior director first learns of the incident.

The *Code of Ethics and Standard Practices for Texas Educators*, adopted by the State Board for Educator Certification, to which all Texans Can employees must adhere, is reproduced below:

Code of Ethics and Standard Practices for Texas Educators

Statement of Purpose:

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty.

The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

Enforceable Standards.

A. Professional Ethical Conduct, Practices and Performance.

1. Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
2. Standard 1.2. The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
3. Standard 1.3. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
4. Standard 1.4. The educator shall not use institutional or professional privileges for personal or partisan advantage.
5. Standard 1.5. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
6. Standard 1.6. The educator shall not falsify records, or direct or coerce others to do so.
7. Standard 1.7. The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
8. Standard 1.8. The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
9. Standard 1.9. The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
10. Standard 1.10. The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
11. Standard 1.11. The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
12. Standard 1.12. The educator shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs, and toxic inhalants.
13. Standard 1.13. The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

B. Ethical Conduct Toward Professional Colleagues.

1. Standard 2.1. The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
2. Standard 2.2. The educator shall not harm others by knowingly making false statements about a colleague or the school system.
3. Standard 2.3. The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
4. Standard 2.4. The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
5. Standard 2.5. The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
6. Standard 2.6. The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
7. Standard 2.7. The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.
8. Standard 2.8. The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

C. Ethical Conduct Toward Students.

1. Standard 3.1. The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
2. Standard 3.2. The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
3. Standard 3.3. The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

4. Standard 3.4. The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

5. Standard 3.5. The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

6. Standard 3.6. The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

7. Standard 3.7. The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

8. Standard 3.8. The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

9. Standard 3.9. The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly, or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.