

## **Employee Code of Ethics**

### **I. Introduction**

This Employee Code of Ethics and Conduct (“Code”) details JMCS policies for employees. JMCS is committed to a quality program and standards that value integrity, respect and truthfulness, and a strong commitment to the highest ethical standards. These principles apply to employee interactions with students, the employers that hire them, coworkers, vendors, government and regulatory agencies and the general public. This Code applies to JMCS employees and its Board of Directors, [collectively “employees”]. JMCS employees must be familiar with this Code and adhere to its guidelines.

This Code is not a comprehensive guide of all ethical issues that employees may face, but merely highlights specific problems employees may encounter. In dealing with ethical problems not detailed in this Code, employees are expected to use common sense and their best moral judgment. If an employee has ethical questions, please contact the JMCS HR Department, the Chief Operating Officer or the Chief Executive Officer. This policy may be modified or updated at any time. JMCS welcomes employee suggestions on changes in this Code.

### **II. Compliance with Applicable Laws and Regulations**

JMCS shall observe all laws, rules, and regulations of government agencies and authorities. This specifically includes requirements under California law and Education Code, the Higher Education Act, as amended, regulations of the United States Department of Education, the policies of accrediting agencies, as well as other state and federal laws. If federal, state or local law exists that is either contradictory or stricter than this policy, employees must apply the law.

### **III. Conflicts of Interest and Fraternization**

JMCS employees shall avoid having a personal, business, financial, or other interest, activity or relationship, outside JMCS that has or may be in conflict with JMCS or its students. Any material transaction or relationship that may give rise to an actual or perceived conflict of interest should be discussed with COO or CEO.

Conflicts of interest may include, but are not limited to, the following situations:

- Outside Employment: Employees shall not perform work or render direct consulting or managerial services for an organization that competes or does business with JMCS without the approval from the JMCS CEO, COO or CFO.
- Having a personal, social, economic or romantic relationship with a student or prospective student.
- Managers or supervisors shall not engage in sexual, romantic, or dating relationships with subordinate employees.
- Accepting loans or gifts of entertainment, food, cash or other economic benefit from students, subordinate employees, regulatory or any outside concern that does or seeks to do business with or is a competitor to JMCS.
- Obtaining a personal financial benefit in any sale or loan of school property.
- Performing services for students outside those consistent with JMCS' mission of providing higher education and vocational training programs.
- Using or disclosing any confidential student or staff information gained during employment for an employee's personal benefit or the benefit of others, including a future employer.

#### **IV. Employment Practices**

For a comprehensive description of Employment Practices, please refer to the JMCS Policy and Procedure Manual.

##### **Discrimination and Harassment**

- JMCS prohibits discrimination and harassment of students or employees whether or not the incidents occur on JMCS premises and whether or not the incidents occur during school hours.
- JMCS follows federal, state, and local law to ensure equal recruitment, employment, compensation, development and advancement opportunity for all qualified individuals, and prohibits deliberate harassment based on federally protected categories of race, color, religion, sex, national origin, age, or disability.

**Workplace Violence:** JMCS has a zero tolerance policy for workplace violence including threats, threatening behavior, harassment, intimidation, assaults or similar conduct.

**Weapons Policy:** JMCS employees and students shall not carry firearms or other weapons on JMCS facilities. Box knives or other knives issued as part of a vocational training program are the only exception to this policy, and whenever possible should not be brought into JMCS classrooms.

**Illegal Drugs and Alcohol Policy:** JMCS employees shall not distribute, possess or use illegal or unauthorized drugs or alcohol on JMCS property, or in connection with JMCS activities.

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## **V. Books and Records**

**Accurate and Complete JMCS Records:** Employees must act in good faith not to misrepresent material facts in JMCS' books and records or in any internal or external correspondence, memoranda, or communication of any type, including telephone or electronic communications, attendance records or student grades and graduation requirements.

**Financial Reporting:** All JMCS funds, assets, liabilities and receipts must be recorded in accordance with generally acceptable accounting procedures and the JMCS Fiscal Policy.

**Proper Maintenance of Records:** JMCS maintains documents in accordance with all applicable laws and regulations. If JMCS employees receive a subpoena, a request for records or other legal papers or if there is reason to believe that such a request or demand is likely, the law requires JMCS to retain all relevant records. In the event that a JMCS employee receives a subpoena, a request for records or other legal papers the employee is to immediately contact the JMCS COO or CEO.

**Cooperation with Auditors-** JMCS employees must cooperate fully with internal and external auditors during the annual required examination of JMCS' books, records, and operations as allowed by HIPAA and FERPA.

## **VI. Communications and Marketing**

**School Communications:** Employees must not make public statements regarding issues or matters of JMCS about which they are not authorized spokespersons. If an employee is unsure if they are authorized to make public statements regarding JMCS issues or matters, the employee shall contact the JMCS COO or CEO.

**Advertising and Marketing:** JMCS' policy takes necessary steps to assure that all advertised products or services in any of its literature, exhibits or other public statements is true, supported by documentation, and does not mislead students, staff or stakeholders.

## **VII. Use of JMCS Resources**

For a comprehensive description of JMCS policy on use of school resources, please see the JMCS Policy and Procedure Manual.

### **Internet and Electronic Mail Policy**

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- During work hours Employees may use Internet and send and receive electronic mail solely for JMCS related purposes.
- JMCS electronic mail system is a school resource, and JMCS reserves the right to read, view and copy any email communications made through the JMCS email system.
- Employees must take reasonable care not to disclose confidential information, or acquire unauthorized information over the Internet.

**Equipment and Supplies:** All equipment and supplies purchased by JMCS remain JMCS property, including but not limited to office supplies, office furniture, fax machines, computers, software, hardware, supplies and equipment, and may not be used by JMCS employees for personal reasons.

**Political Activity:** JMCS encourages employees to participate in the political process on their own time. Employees shall not use JMCS' resources, reputation or assets to support a political candidate or movement.

**Non-work Related Interests:** JMCS employees shall not use JMCS facilities to promote non-JMCS or non-work related interests of the employee or of third parties without prior consent of their Division Director, the COO or CEO.

**Proper Use of Organizational Assets:** JMCS employees shall only use, transfer, or dispose of funds or assets for the lawful and legitimate school purposes for which they were approved by the JMCS COO, CEO or Governing Board.

## **VIII. Privacy and Confidentiality**

**Confidential Information:** JMCS employees must exercise care to avoid disclosing non-public, internal, secret, or proprietary information related to JMCS or its students to unauthorized persons, either within or outside JMCS during employment or afterwards, except as such disclosure is legally mandated or approved by JMCS.

**Employee Access to Confidential Information:** Only JMCS employees that truly need to know confidential student and staff information to conduct their school business have access to confidential information and must take necessary steps to keep this information private and confidential.

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**Confidential Information of Employees:** Employment and medical records of JMCS employees are confidential and private. Medical Records shall only be disclosed if the employee provides a written release or required by applicable law.

**Financial Information of Current and Former Students:** Financial information of current and former JMCS students must be protected as required by State and Federal privacy laws and regulations.

**Requirements under The Family and Education Rights and Privacy Act of 1974, as amended (“FERPA”):** FERPA includes limitations on student educational records that institutions can disclose without the student’s prior written consent or written consent of the parent if the student is under 18 years of age. FERPA requirements apply to current and former students of JMCS.

## **IX. Compliance with the John Muir Charter School Employee Code of Ethics and Conduct**

All JMCS employees must know this Code and adhere to its guidelines. If questions arise please contact the COO or CEO.

**Supervisors:** Supervisors must take reasonable care to assure that subordinate employees are complying with these guidelines. Supervisors are responsible for misconduct by employees if the supervisor orders misconduct; ratifies the conduct, even by inaction; the supervisor has direct authority and knows of the conduct but fails to act appropriately; or should have known with reasonable diligence that the actions occurred.

## **X. Reporting Actual or Suspected Violations of the Code**

**Requirement to Report Actual or Suspected Violations of the Code:** Employees must report any actual or suspected violations of this Code to JMCS COO or CEO. In the event an employee feels the COO or CEO has violated this code, the employee may report violations directly to the JMCS Governing Board. Failure to report any actual or suspected violations of the Code is in itself a violation of this Code.

**Non-Retaliation Policy:** Employees will not be retaliated against or subject to any form of reprisal for raising a good faith concern under this policy or participating in an investigation into any such concerns. Retaliation is a serious violation of this Code and should be reported immediately.

**Investigation of Alleged Violations of the Code:** All inquiries, complaints, and reports will be promptly investigated. Employees are expected to cooperate in the investigation. Reasonable measures will be taken to preserve confidentiality of the claim and the identity of anyone who reports a suspected violation or participated in the investigation. If you are unsure whether a violation has occurred, JMCS encourages you to seek advice from the JMCS HR department, COO or CEO before acting.

## **XI. Zero-Tolerance Policy Toward Violations of the Code**

JMCS takes a zero-tolerance approach to violations of this Code, failure to report actual or suspected violations of the Code, or retaliation against whistleblowers. Employees that are found to have violated this Code or retaliated against whistleblowers will have their employment with JMCS terminated.

## **XII. JMCS Employee “Ethical Pledge”**

As an employee of JMCS and a member of the JMCS team, I shall promote the best interests of JMCS students and JMCS as a whole and, to that end, shall adhere to the following ethical standards:

### **Equity in Attitude**

- I will be fair, just, and impartial in all my decisions and actions towards JMCS students and colleagues.
- I will encourage expressions of different opinions and listen with an open mind to others’ ideas.

### **Trustworthiness in Stewardship**

- I will be accountable to the public by representing JMCS’ policies, programs, priorities, and progress accurately.
- I will be responsive to the community by seeking its involvement in School affairs and by communicating its priorities and concerns.
- I will work to ensure prudent and accountable use of JMCS resources.
- I will make no personal promise or take private action that may compromise my performance or my responsibilities as an educator of students.

### **Honor in Conduct**

- I will tell the truth.

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- I will share my views while working for consensus.
- I will respect the decisions of the JMCS Board.
- I will base my decisions as an educator on fact rather than supposition, opinion, or public favor.

### **Integrity of Character**

- I will refuse to surrender judgment to any individual or group at the expense of JMCS as a as a community dedicated to student achievement.
- I will consistently uphold all applicable laws, rules, policies, and governance procedures.
- I will not disclose student or staff information that is confidential by law or that will needlessly harm JMCS students or staff if disclosed.

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### **Commitment to Service**

- I will focus my attention on fulfilling the responsibilities of planning, teaching, assessing and reflecting as part of a community of educators dedicated to student success.
- I will diligently prepare for and attend JMCS activities.
- I will avoid personal involvement that may reflect poorly on the JMCS community of education.
- I will seek continuing education that will enhance my ability to fulfill my duties as an educator effectively.

### **Student-Centered Focus**

I will be continuously guided by what is best for all students of John Muir Charter Schools.

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