Montgomery County Public Schools
UNLEASHING POTENTIAL

Employee

# Code of Conduct

in Montgomery County Public Schools

www.montgomeryschoolsmd.org

2025–2026

## VALUES

*Learning*
*Respect*
*Relationships*
*Excellence*
*Equity*

## VISION

***Future Ready***

*All students will graduate ready to thrive in a changing world—with the knowledge, skills, and confidence necessary to lead, adapt, and make a positive impact in their communities and beyond..*

## MISSION

***To Unleash Potential***

*All students will receive a solid academic foundation, grounded in strong critical thinking skills, with opportunities to enhance and enrich their learning. All students will develop resilience, be adaptable, and have a lifelong passion for learning. All students will become effective communicators and collaborators predicated on meaningful relationships. All students will make a positive impact in their community and be ready for success in their personal and professional life.*


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**Montgomery County Public Schools**

Thomas W. Taylor, Ed.D., M.B.A.
*Superintendent of Schools*



15 West Gude Drive
Rockville, Maryland 20850
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Employee

# Code of Conduct

in Montgomery County Public Schools
www.montgomeryschoolsmd.org

## 2025–2026

**This** *Employee Code of Conduct in Montgomery County Public Schools* **is available in English, Spanish, French, Chinese, Korean, Vietnamese, Amharic, and Portuguese on the MCPS web at** *www.montgomeryschoolsmd.org/students/rights/*

**Employee Code of Conduct (English)**
**Código de Conducta del Empleado (Spanish)**
員工行為守則 (Chinese)
**Code de conduite de l'employé (French)**
직원 행동 규범 (Korean)
Quy tắc Hạnh kiểm Nhân viên (Vietnamese)
**የሠራተኛ ሥነ ምግባር ደንብ** (Amharic)
Código de Conduta do Funcionário (Portuguese)

Montgomery County Public Schools
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Rockville, Maryland

# QUICK REFERENCE GUIDE
# RESOURCES FOR EMPLOYEES

## MONTGOMERY COUNTY CRISIS HOTLINES
**24-hour information, Referrals and Supportive Conversation**

**Maryland Crisis Hotline/EveryMind/ . . . .301-738-2255 and https://www.every-mind.org/**
Provides a staffed hotline as well as 24-hour chat box on their website.

**Montgomery County Crisis Center . . . . 240-777-4000**
The Crisis Center provides free crisis support services 24/7 for individuals who are experiencing a mental health crisis.

**Youth Crisis Hotline of Montgomery County . . . . . 301-738-9697**
Provides confidential and anonymous support by trained counselors through a 24-hour telephone active listening and referral service.

## TO REPORT SAFETY AND SECURITY CONCERNS

**MCPS Office of Security and Compliance. . . . . .240-740-3066**
The MCPS office responsible for ensuring the safety of MCPS schools and offices.

**MCPS Student Welfare and Compliance: SWC@mcpsmd.org or TitleIX@mcpsmd.org . . . . . 240-740-3215**
The MCPS districtwide Title IX coordinator and districtwide child abuse and neglect contact. The Student Welfare and Compliance web page is at https://www.montgomeryschoolsmd.org/compliance/. SWC works collaboratively with schools, the Office of the General Counsel and other MCPS offices, and community agencies to ensure consistency and coherence with implementation of policies, regulations, and guidelines, such as issues related to human relations; bullying, harassment (including Title IX sexual harassment), and intimidation; recognizing and reporting child abuse and neglect; incidents of hate-bias, hazing, and student gender identity.

**MCPS Cyber Safety dropbox: . CyberSafety@mcpsmd.org**
Dropbox to report inappropriate online activity within MCPS.

**The Cyber Tipline . . . . . 1-800-843-5678**
24/7 hotline to report suspected online enticement of children for sexual acts, extra-familial child sexual molestation, child pornography, child sex tourism, child sex trafficking, unsolicited obscene materials sent to a child, misleading domain names, and misleading words or digital images on the Internet.

**Safe Schools Maryland Hotline . . . . . 833-MD-B-Safe (833-632-7233)**
A 24/7 anonymous and free reporting system available to students, teachers, school staff members, parents, and the general public to report any school or student safety concerns, including mental health concerns. Information about incidents is shared with the appropriate offices at Montgomery County Public Schools, respecting anonymity of caller.

**Montgomery County Child Protective Services, Department of Health and Human Services (24 hours) . . . .240-777-4417 or 240-777-4815 TTY**
24/7 reporting hotline to report suspected child abuse or neglect to Montgomery County Child Protective Services.

**Montgomery County Adult Protective Services for Vulnerable Adults .240-777-3000, 240-777-4815 TTY**
24/7 hotline to report suspected adult abuse and neglect

**Montgomery County Police Department, Special Victims Investigation Division (24 hours) . . . 240-773-5400**
24/7 hotline to report sex crimes against children and adults, physical child abuse, runaways, missing children, felony domestic violence, elder abuse/vulnerable adult abuse, and registration violations of sex offenders to Montgomery County Police Department.

**Montgomery County Police: Drug and Gang Tip Hotline. . . 240-773-GANG (4264) or 240-773-DRUG (3784)**
24/7 hotline to leave an anonymous tip with information relating to illegal drug/gang activities in Montgomery County.

## MONTGOMERY NONEMERGENCY RESOURCES

**Montgomery County Police Nonemergency Line. . . . . 301-279-8000**

**Montgomery County Health and Human Services Information Line**
Contact the Department of Health and Human Services
General Information . . . . . **311, 301-251-4850 TTY**
Outside Montgomery County Residents . .**240-777-0311**

## MCPS INFORMATION AND EMERGENCY ANNOUNCEMENTS

**Stay Connected to MCPS www.montgomeryschoolsmd.org**
For systemwide information and emergency announcements:

MCPS on Twitter . . . . . www.twitter.com/mcps
MCPS en Español. . . . . www.twitter.com/mcpsespanol

MCPS on Facebook . . . . . www.facebook.com/mcpsmd
MCPS en Español. . . . www.facebook.com/mcpsespanol

Alert MCPS . www.montgomeryschoolsmd.org/alertMCPS

*MCPS QuickNotes Email Messages and Newsletter*. . . . . .www.mcpsQuickNotes.org

**Ask MCPS Information Service**
Telephone. . . . . 240-740-3000
Spanish Hotline . . . . . 240-740-2845
Email . . . . . AskMCPS@mcpsmd.org

**MCPS Public Information Office . . . . . 240-740-2837**
MCPS Television . . . . . www.mcpsTV.org; Comcast 34, 998; RCN 89, 1058; Verizon 36

*Recorded Emergency and Weather Information* . . . . . 301-279-3673

## EMPLOYEE RESOURCES

Office of the Board of Education Ombudsperson . . . . . 240-740-3030
Employee and Retiree Service Center . . . 301-517-8100
Employee Assistance Program . . . . . 240-740-6500
Employee Wellness Program (through ERSC) . . . . . 301-517-8100
MCPS Careers/Department of Human Capital Management . . . . . 240-740-8015
Help Desk. . . . . 240-740-9000

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# INTRODUCTION

Montgomery County Public Schools (MCPS) is committed to an organizational culture that furthers the Montgomery County Board of Education core values of Learning, Relationships, Respect, Excellence, and Equity. All employees must make every effort to create and maintain safe and healthy learning environments for all of our students. All employees are expected to interact with all students, parents/guardians, colleagues at all levels, and the community with the utmost integrity and professionalism.

This *Employee Code of Conduct* provides a general overview of the expectations and standards of conduct that MCPS and the broader community expect employees to follow in carrying out their important part of the district's mission. In addition, this Code of Conduct summarizes the disciplinary procedures that MCPS uses to address circumstances where employees fall short of our expectations and standards of conduct.

The *Employee Code of Conduct* applies to all MCPS employees, including certificated and noncertificated, full- and part-time, as well as substitutes and others employed in a temporary or seasonal capacity.

Many aspects of this Code of Conduct are based on applicable Board policies and MCPS regulations and other guidelines (referred to hereafter as MCPS rules) such as the Social Media Guidelines: *Best Practices for Employees* and *Best Practices for Email and Other Digital Communications*, as well as negotiated agreements and state and federal laws. This Code of Conduct is not intended to replace these resources, but rather to provide a one-document summary and reference point of appropriate items that would be useful to all employees. Specific topics related to employee conduct and responsibilities are further reinforced in the mandatory annual online compliance training modules. Please note that this Code of Conduct is not a contract. The policy and legal requirements that it references may change between editions of this publication and would supersede the statements contained in this publication.

MCPS continues to work with our employee associations, staff, and stakeholders to ensure that this document reflects our values, contributes to a culture of respect in all our work locations, and clearly articulates the high expectations we have for employees.[1]

# EXPECTATIONS FOR EMPLOYEE CONDUCT

MCPS expects all employees to perform their work with the requisite skill and knowledge; maintain the highest standards of responsible and ethical conduct; and obey all applicable laws, policies, and regulations. Under no circumstances may any employee engage in any of the following activities or behavior: immorality, misconduct in office (which includes knowingly failing to report suspected child abuse or neglect), insubordination, incompetence, or willful neglect of duty.

Whenever employees face a matter that requires an ethical decision concerning their behavior, MCPS expects them to consider whether it might violate a law, policy, regulation, or professional standard of responsible and ethical conduct. Equally important, employees should refrain from any action or conduct that—

- endangers or potentially threatens the health and/or safety of self or others;
- undermines the employee's professional integrity; and/or
- makes them unfit to perform their assigned duties.

The charts on the following pages provide specific examples of the standards of behavior that MCPS expects from all of its employees, as well as inappropriate or disruptive behavior that warrants correction or discipline. An employee's failure to perform expected behaviors, as well as an employee's performance of inappropriate behaviors (including, but not limited to, the "Do nots" listed on the following pages), may subject the employee to disciplinary action, up to and including suspension or termination.

Employees should understand that not all inappropriate, improper, or unethical conduct may be expressly referenced in this publication. Rather, the examples on the following pages are illustrative and nonexhaustive. Conduct that is not expressly listed nonetheless may warrant disciplinary action. For example, the charts do not attempt to list every standard of employee behavior grounded in common sense or commonly understood sound practices. Please note that the standards for employee conduct set forth in this Code of Conduct also apply to email, social media, text messages, messaging apps, and other electronic communications.

## ■ Best Practices and Guidelines

To assist employees in adhering to expected behavior and excellence in their work, MCPS provides required compliance training for all employees. In addition, MCPS issues a number of guidance and best-practice documents to support employees, such as *Social Media: Best Practices for Employees*,[2] the *MCPS Guidelines for Respecting Religious Diversity*,[3] *MCPS Best Practices for Email and Other Digital Communications*,[4] and the *MCPS Guidelines for Student Gender Identity*.[5]

## ■ Districtwide Compliance Training

MCPS is committed to providing a safe and welcoming learning and working environment for students and staff across our district. To fulfill this commitment, all staff are required to complete the annual Districtwide Compliance Training every school year.[6] This training is designed to ensure that every employee has the necessary information to establish and maintain a positive, safe, healthy and lawful climate and culture in which all adults and students are able to thrive and do their best work.

The mandatory training consists of multiple online modules. Topics include preventing, recognizing, and reporting child abuse and neglect; equal opportunity in the workplace; bullying, harassment and intimidation prevention; religious diversity; ethics; conflict of interest; and other important issues.

Additionally, based on your MCPS position, you may be required to complete job-specific trainings that are separate and in addition to the districtwide compliance modules. Your principal or supervisor will notify you of these requirements.

Failure to complete the required training will result in progressive disciplinary action. In these rare cases, Department of Compliance and Investigations (DCI) will work directly with principals and supervisors to determine specific actions to be taken, up to and including termination.

## ■ Ethical Conduct in the Work Environment

Employees are expected to behave honestly; diligently fulfill their job responsibilities; adhere to all laws, MCPS rules, and ethical standards governing their work; and comply with laws and MCPS rules outside of work where failure to do so affects their fitness to perform their job.

Select examples of expected conduct:

- Complete work assignments in an appropriate, satisfactory, and timely manner and follow MCPS, department, and school procedures and guidelines, as well as the instructions, directions, and orders of supervisors and administrators.
- Report to work on time as scheduled, work as long as expected, follow leave procedures, and use work time for performance of MCPS responsibilities.
- Dress for work in a professionally appropriate manner.
- Follow legal requirements and MCPS rules on ethical behavior and avoid conflicts of interest.[7]
- Maintain the confidentiality of information you obtain through your work, including employee and student records.[8]
- Exercise due care and prudence when incurring expenses on behalf of MCPS and comply with all requirements for submitting any requests for reimbursement of travel and related expenses directly related to official MCPS business.[9]
- Complete all required reports on a timely basis and follow program and financial reporting guidelines.
- Attend and participate fully in all required MCPS professional learning opportunities, and complete all coursework and training to maintain valid certification/licensure required to hold the MCPS position to which you are assigned.
- Read and comply with the standards in the applicable Professional Growth System.
- Report known or suspected instances of fraud, false claims, false statements, bribery, theft, or embezzlement of MCPS funds or property.[10]
- Exercise fiscal responsibility with and properly account for MCPS funds, safeguard MCPS property, and respect other people's property.
- Follow legal requirements and MCPS rules prohibiting use of alcohol, tobacco, and other drugs[11] on MCPS property.[12]
- Follow legal requirements and MCPS rules concerning school safety and security.
- Utilize appropriate channels for raising workplace concerns.[13]
- Follow legal requirements and MCPS rules regarding appropriate use of MCPS websites, email, and other communications technology,[14] as well as test-security and data-reporting requirements.[15]

- Self-report criminal arrests, charges, or convictions when required to do so.[16]
- Follow MCPS rules and state election laws regarding participation in political campaigns, partisan election activities, and the distribution of political or partisan materials.[17]
- Respond honestly to a work-related inquiry by MCPS, law enforcement, or other authorized investigative officials.
- Operate school-sponsored trips involving students within MCPS rules and with appropriate approval.[18]
- Conduct your private life activities (including social media activities) in a manner that is not prejudicial to your effectiveness as an MCPS employee and recognize that criminal, dishonest, and other inappropriate activities may have an adverse impact on your employment with MCPS.[19]

Select examples of inappropriate conduct:

- Do not engage in conduct that endangers the safety of students, employees, parents/guardians, or the public.
- Do not abandon your job.
- Do not provide false or misleading information or make a material omission on a résumé or job application, or in connection with any audit, study or investigation.
- Do not misuse leave or submit incorrect or fraudulent requests for reimbursement, expenses, or pay.
- Do not submit incorrect or fraudulent information to MCPS or on behalf of MCPS.
- Do not steal.
- Do not participate in decision making during the course of your work for MCPS in areas where you have a personal interest or use your position as an MCPS employee, MCPS resources, or information gained through your employment, for personal gain.[20]
- Do not supervise within your immediate supervisory chain a spouse, relative, in-law, or any employee with whom you have, or previously have had within the past 10 years a sexual and/or romantic relationship. Do not supervise within your immediate supervisory chain a vendor or contractor who is a spouse, relative, in-law, or anyone with whom you have, or previously have had within the past 10 years a sexual and/or romantic relationship.[21]
- Do not accept gifts unless permitted by MCPS rules.[22]
- Do not provide tutoring, before-school, after-school, or summer activities for compensation, except as allowed by MCPS policy or regulation.[23]
- Do not possess firearms or other weapons on MCPS property or at an MCPS-sponsored activity.[24]

## ■ Ethical Conduct with Students

It is expected that all employees will build positive relationships with students to support learning while adhering to standards of professional practice.

Select examples of expected conduct:

- The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. This prohibition will not be used, however, to prevent responsible discussion of such language, images or symbols for educational purposes. [25]
- Maintain high expectations for all students that are reasonable, clear, and age-appropriate.
- Use positive behavior-intervention strategies and supports to guide student behavior and appropriate responsive strategies to maintain a safe and secure learning environment.
- Respect students' personal space.
- Immediately report abuse or neglect of children or vulnerable adults when observed or suspected and do not interfere with the making of reports of abuse or neglect.[26]
- Limit email, social media, text messages, messaging apps, and other electronic communications with students to appropriate purposes directly related to instruction or your MCPS work responsibilities.

Select examples of inappropriate conduct:

- Do not discriminate against students based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations.[27]

- Do not bully, harass, or intimidate students.[28]
- Do not engage in abuse or neglect of any child or vulnerable adult, including grooming behaviors through which an adult or a person in a position of authority forms an emotional connection with a child or vulnerable adult with the intent of making the child or vulnerable adult more receptive to sexual contact.[29]
- Do not engage or attempt to engage in a romantic or sexual relationship with an MCPS student, regardless of the age of the student, or engage in any conduct designed to promote a relationship. This includes oral, nonverbal, written or electronic communication, including the following:
    - A sexual or romantic invitation
    - Grooming
    - Dating or soliciting dates
    - Engaging in sexualized or romantic dialogue
    - Making sexually suggestive comments
    - Physical exposure of a sexual, romantic or erotic nature
    - Self-disclosure of a sexual, romantic, or erotic nature.[30]
- Do not meet with a student one-on-one in a room with the door locked or the lights off.
- Do not show pornography to MCPS students or involve children in or with pornography.
- Do not introduce, view, or distribute pornography on MCPS property or at any MCPS activity.
- Do not engage in inappropriate physical interactions with students, such as—
    - Hitting, tickling, or kissing;
    - Fondling any part of a student's body;
    - Any type of massage given by or to a child; and
    - Sending offensive or sexually explicit pictures, notes, cartoons, or jokes.

  *NOTE: Certain touches may be appropriate in particular circumstances, such as a pat on the back or shoulder, handshakes, high fives, or holding the hand of younger children to guide or escort them.*
- Do not engage in inappropriate verbal interactions with students, such as—
    - Name-calling or using profanity;
    - Discussing intimate details of one's personal life;
    - Encouraging students to keep secrets from other adults;
    - Sexual or offensive humor;
    - Shaming, belittling, or derogatory remarks about a student, including negative comments about the student's physique, body development, dress, or family; and
    - Harsh language that may threaten, degrade, or humiliate children.
- Do not have one-on-one interactions with MCPS students through social media, email, text messages, messaging apps, or other electronic communication about subjects not directly related to instruction or your MCPS work responsibilities. Communication with students via temporary or anonymous messaging apps, is prohibited.
- Do not use personal email accounts, social media networking sites, text messages, messaging apps, or other electronic communications to socialize or become "friends" with students.
- Do not transport a student in a personal vehicle without written permission from a parent/guardian and a school administrator, and, if possible, arrange for a second adult to accompany the driver and the student.
- Do not give gifts to an individual student unless an administrator approves it in advance.
- Do not utilize corporal punishment or other inappropriate student disciplinary practices, such as shaking, slapping, shoving, pinching, ostracizing, or withholding food, light, or medical care.[31]
- Do not utilize physical restraints of students, except in very limited circumstances set forth in MCPS rules and district-sponsored training and guidance.[32]
- Do not contract or hire students who attend your school, or could reasonably be expected to attend your school, to perform household tasks like babysitting, dog walking, lawn mowing, etc.

## Ethical Conduct with Colleagues, Parents/Guardians, and the Community

Employees are expected to treat parents/guardians, other employees, and members of the community professionally and respectfully and comply with all nondiscrimination laws and policies in their relationships with other adults. It is equally critical that all employees have an awareness, understanding, and tolerance of others' interests, viewpoints, cultures, and backgrounds.

Select examples of expected conduct:

- Treat all colleagues, parents/guardians, and members of the community fairly, equitably, and with respect, regardless of their race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities.
- Practice civility in all interactions and seek and respect the opinions of others.
- Create a welcoming environment for parents/guardians and the school community.[33]
- Promote engagement of parents/guardians in their children's education.
- Use collaborative and interest-based strategies rather than positional or adversarial approaches.
- Communicate openly and respectfully.
- Provide and receive feedback constructively and respectfully.
- Provide appropriate supervision of visitors, volunteers, and contractors on MCPS property.[34]
- Be respectful of diverse opinions and beliefs of other employees, parents/guardians, and others in the school community.

Select examples of inappropriate conduct:

- Do not engage in conduct that is rude or disrespectful to others.
- Treat all colleagues, parents/guardians, and members of the community fairly, equitably, and with respect, regardless of their race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. [35]
- Do not bully, harass, or intimidate MCPS employees or other adults.[36]
- Do not retaliate against an employee or another person for taking any action or for reporting any facts or information related to real or perceived improper acts.

## Corrective and Progressive Discipline

MCPS is committed to fair and consistent treatment of employees in a disciplinary process that is both corrective and progressive.

### Nondisciplinary Corrective Actions

In some circumstances, a supervisor or manager may determine that an employee's conduct does not warrant formal disciplinary action but does warrant a clarification as to expectations regarding future conduct. In such cases, the supervisor or manager may provide written guidance as to expectations regarding future conduct. Such a document is not considered disciplinary in nature, but a confidential record will be maintained because it may provide context for future disciplinary action if the employee's conduct does not conform to the communicated expectations. After consultation with the Department of Compliance and Investigations (DCI), a written response is required in all cases involving allegations of sexual misconduct or harassment.

### Disciplinary actions

Typical disciplinary actions include the following:

- Verbal or written warning
- Written reprimand
- Suspension without pay
- Demotion
- Removal from position
- Termination

MCPS is not obligated to use any specific level of progressive discipline or to utilize the actions in the order listed above. Rather, the specific facts of each situation determine which of the listed disciplinary actions will be appropriate. In making a determination as to the appropriate level of disciplinary action in each case, consideration of mitigating factors (such as an employee's long history of good service with a clean record or an indication of less culpability on the part of the employee) or aggravating factors (such as placing others at risk of serious injury, demonstrating intentional wrongdoing, or indifference to the effect of an action or the outcome on others) may be considered. Lack of awareness or knowledge of this Code of Conduct, or applicable policies or regulations, is not a defense to a charge of misconduct.

Except for serious infractions, including but not limited to the prohibited criminal conduct discussed on the following pages, the lowest appropriate level of disciplinary action should be applied initially to focus on ensuring that an employee understands expectations and does not repeat the inappropriate conduct. In general, discipline should progress to a more severe level after a lesser disciplinary action has been implemented and proven to be ineffective. Nevertheless, a more serious infraction may warrant suspension or termination, even for a first-time offense, or repeated offenses, depending on the circumstances. This may be the case even when the infraction violates a standard of conduct that is not specifically enumerated in writing but involves common-sense application of governing principles or criminal law.

### Process for cases involving suspected child abuse and other criminal activity

Cases involving suspected child abuse or neglect by an MCPS employee require immediate oral reporting to Child Welfare Services in the Montgomery County Department of Health and Human Services, commonly known as Child Protective Services (CPS), and, in cases of sexual abuse, to the Special Victims Investigations Division of the Montgomery County Police Department (MCPD) as well, as required by state law, Board Policy JHC, and MCPS Regulation JHC-RA. In every case of alleged abuse or neglect by an MCPS employee, the DCI will conduct an internal investigation, as appropriate in consideration of the totality of the circumstances, even when CPS or MCPD screens out or closes the case without taking action and/or the Montgomery County State's Attorney's Office declines to bring criminal charges, because such cases may involve violations of Board policies, MCPS regulations, contracts, and/or other guidance. While any investigation by CPS, MCPD, or another external agency is pending, MCPS may not interview witnesses, alleged victims, or alleged perpetrators without prior agreement from and subject to any limitations recommended by the investigating agencies. In addition, MCPS must conduct all internal investigations in a manner that is fully cooperative with the external agencies that are investigating and that does not interfere with or jeopardize the external investigation.

Other critical incidents involving suspected criminal activity, such as drug distribution or use of weapons on MCPS property, require reporting to MCPD, pursuant to Board policy and the Memorandum of Understanding among MCPS, MCPD, and other county agencies involving the Community Engagement Officer Program and Other Law Enforcement Responses to School-Based Incidents.[37] In cases of suspected criminal activity, DCI may conduct an internal investigation in a manner that is fully cooperative with the external agencies that are investigating and that does not interfere with or jeopardize the external investigation.

### Process for cases involving other suspected misconduct

In other cases, and consistent with applicable law and MCPS rules, managers and supervisors should use professional judgment in reporting to DCI. Managers and supervisors who feel that an employee's actions may warrant a reprimand from a district official higher than the immediate supervisor, a suspension without pay, or termination from employment should refer the matter to DCI through their own associate superintendent, if the employee is a professional employee, or the employee's administrator or supervisor (frequently a department director) if the employee is a supporting services employee. DCI will then review the information submitted, conduct or direct investigation as appropriate, and take or recommend any action that may be warranted by the information obtained. If the manager or supervisor has a question about whether an employee's conduct should be addressed through the Professional Growth System or the employee discipline process, the manager or supervisor should contact DCI. Cases involving

unsatisfactory performance of an employee's job duties, due to lack of skill or knowledge, ordinarily will be addressed through the Professional Growth System, and may result in termination of employment if the employee is unsuccessful in achieving and sustaining a satisfactory level of performance. In instances that could be addressed under either the professional growth system or the discipline process, MCPS is not required to use one process prior to another. Employees who are members of one of the employee collective bargaining units may be entitled to representation during the investigation through their employee association, in accordance with the provisions of the respective collective bargaining agreements. If managers or supervisors have questions about the right to representation, they should contact DCI or the Department of Labor Relations for assistance and guidance.

### Administrative leave

Any suspicion of inappropriate behavior by an employee may be reason for placing the employee on administrative leave, pending an investigation into the allegations. Cases are reviewed on an individual basis, and the key factor is whether the employee's continued presence on the job poses a potential threat to students or staff, to the investigation of the allegedly inappropriate conduct, or to perpetuation of the allegedly inappropriate conduct (e.g., if the allegation is of financial malfeasance and the person handles MCPS funds). In accordance with MCPS Regulation JHC-RA, *Reporting and Investigating Child Abuse and Neglect*, an MCPS employee who is the subject of allegations of child abuse or neglect will be placed on administrative leave, unless there is significant, credible information that another course of action is warranted. When employees are placed on administrative leave, steps will be taken to limit their access to MCPS email and other communications technology.

## ■ Prohibited Criminal Conduct

In addition to MCPS disciplinary procedures, an employee may face criminal prosecution for certain misconduct. These criminal proceedings may have consequences for the employee's continued employment with MCPS. For instance, under Section 6-113 of the Education Article of the Annotated Code of Maryland, MCPS may not knowingly hire or retain any employee who has been convicted of, or pled guilty or nolo contendere (no contest) to, a crime involving certain sexual offenses, child sexual abuse, and crimes of violence.[38] In addition, the Maryland state superintendent of schools is required to revoke the state-issued certificate of a teacher or other professional in certain circumstances involving criminal and other wrongdoing.[39]

MCPS also requires that all staff members must self-report if they are arrested or criminally charged for any offenses listed in MCPS Regulation GCC-RA, *Staff Self-Reporting of Arrests, Criminal Charges, and Convictions*, as well as the disposition of any ensuing criminal proceeding. This self-reporting requirement reflects MCPS's commitment to providing a safe and secure environment for all students and staff and promotes compliance with Maryland law, including Section 6-113 of the Education Article of the Annotated Code of Maryland. This requirement applies prospectively to arrests and criminal charges, as well as disposition of any criminal proceedings, that occur on or after October 1, 2016.

## ■ Prohibition on Recommendations for Future Employment when Sexual Misconduct is Suspected or Alleged

As set forth in federal law[40], no MCPS employee may assist an MCPS employee, contractor, or volunteer in obtaining a job, apart from the routine transmission of administrative and personnel files, if the individual knows, or has probable cause to believe, that such employee, contractor, or volunteer engaged in sexual misconduct regarding a minor or student in violation of the law.

MCPS employees who have questions about such permissible or prohibited actions should contact DCI.

# SOURCES OF THE *EMPLOYEE CODE OF CONDUCT*

This Code of Conduct is intended to incorporate and provide additional context regarding the variety of legal and other requirements and systems that govern expectations regarding the conduct of MCPS employees. These include but are not limited to the following:

1. The **Education Article of the Annotated Code of Maryland** and the **Code of Maryland Regulations (COMAR)** set forth expectations regarding the behavior of teachers, principals, assistant principals, and other public school employees whose positions require a professional certificate issued by the Maryland State Department of Education (MSDE)[41] and provide standards for suspension and dismissal when those certificated employees fail to adhere to these standards. In addition, if school vehicle operators and attendants breach certain expectations, state law disqualifies them from driving and/or employment.[42]
2. **Other federal and state laws** establish requirements for MCPS employees in terms of the security of another's person, property or reputation; financial and program accountability; reporting child abuse and neglect; confidentiality of student and personnel records; and civil rights and nondiscrimination obligations.
3. **Negotiated collective bargaining agreements** with the Montgomery County Education Association (MCEA), Service Employees International Union Local 500 (SEIU), and the Montgomery County Association of Administrators and Principals/Business and Operations Administrators (MCAAP/MCBOA) set forth expectations regarding employee conduct, employee due process rights, and provisions that acknowledge that MCPS may discipline employees for "proper cause."[43] This standard recognizes that employees should adhere to expected standards of behavior and failure to do so may constitute "proper cause" for discipline or discharge from employment.
4. The **Culture of Respect Compact** among MCPS, MCEA, MCAAP, and SEIU sets forth expectations for MCPS employees to promote a positive work environment that ensures the success of each employee, high student achievement, and continuous improvement in a self-renewing organization.[44]
5. **Professional Growth Systems** for all MCPS employees, as provided by each collective bargaining agreement, identify in great detail expected standards of job performance, providing extensive examples of behavior that meets or does not meet those expectations. The Professional Growth Systems also define evaluation mechanisms intended to ensure compliance with those expectations.[45]
6. **Board policies and MCPS regulations** govern subjects such as ethics, financial management, reporting of child abuse and neglect, and nondiscrimination and create expectations regarding employee behavior.[46] In addition, the Department of Transportation has an employee handbook, titled *Just Cause Standards for Bus Attendants and Bus Operators*.[47]

It is the responsibility of all MCPS employees to ensure that their behavior conforms to these various standards. Failure to do so may result in use of the process for improvement in the Professional Growth System, the employee discipline provisions under the collective bargaining agreements, or, for certificated employees, the suspension and discharge procedures under Section 6-202 of the Education Article of the Annotated Code of Maryland as appropriate under the circumstances. In some instances, more than one approach may be appropriate. Such actions are initiated and determined on a case-by-case basis by MCPS, subject to review and appeal through grievance and appeal procedures provided by law, Board policies and MCPS regulations, and the collectively negotiated agreements. While this Code of Conduct focuses on actions that may subject an employee to discipline, there are certain instances that may, or should, be handled appropriately through the Professional Growth System.

## ■ Questions and Further Information

If MCPS employees have questions about the meaning or interpretation of this Code of Conduct or how it applies to specific situations, they should consult with their principal or supervisor. If principals or supervisors have further questions, they should contact DCI at 240-740-2888.

Additionally, employees may contact their respective employee association staff for advice and assistance.

# EMPLOYEE COMPLAINT, GRIEVANCE, AND ACCOMMODATION REQUEST INFORMATION

Employees will find more information about requesting an accommodation or filing an administrative complaint or compliant of discrimination, workplace bullying, or sexual harassment, or grievance in the resources below.

### Discrimination, Workplace Bullying, or Sexual Harassment Complaint

Employment discrimination means being treated differently or unfairly in violation of Title VII of the *Civil Rights Act of 1964*, which makes it unlawful to discriminate against someone on the basis of race, color, national origin, sex (including pregnancy, sexual orientation, and gender identity) or religion, or other perceived characteristics set forth in Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. Sexual harassment may be discrimination and a violation of Title VII, and some forms of sexual harassment may also constitute criminal conduct resulting in criminal penalties. Complainants alleging sexual harassment should use Form 230-39. *See also:*

MCPS Regulation ACA-RA, *Nondiscrimination, Equity, and Cultural Proficiency*

MCPS Form 230-39, *Discrimination, Harassment, and Workplace Bullying Complaint*

Information about Title IX sexual harassment can be found in Board Policy ACI, MCPS Regulation ACI-RA, or by contacting the Title IX Coordinator at TitleIX@mcpsmd.org. Complainants alleging Title IX sexual harassment should use Form 0109.22. See below:

Board Policy ACI, *Sexual Harassment of MCPS Employees*

MCPS Regulation ACI-RA, *Investigation of Title IX Sexual Harassment of MCPS Employees*

MCPS Form 0109.22, *Title IX Discrimination Formal Complaint*

The DCI will receive, document, and track complaints through the implementation of the new Guardian case management system. All sexual harassment and discrimination claims will be formally investigated.

For workplace bullying and harassment complaints, an allegations review committee, composed of the directors and coordinators in DCI, will meet weekly to examine new complaints in accordance with the appropriate laws, policies, and regulations referenced above. Prior to making a determination regarding formal investigation of the allegations within a complaint, a member of the committee will contact the complainant to ensure that all information related to the complaint has been shared.

Following the review of the initial complaint and any additional information shared by the complainant, the allegations review committee will determine if the complaint meets the criteria of workplace bullying and harassment as established by Board of Education Policy ACH, *Workplace Bullying*; Policy ACI, *Sexual Harassment of MCPS Employees*; and MCPS Regulation ACI-RA, *Investigation of Title IX Sexual Harassment of MCPS Employees*. If the complaint does not meet the criteria, the complainant will be informed in writing, and the matter will be referred to the appropriate office or school location for resolution. If the complaint does meet the criteria, a formal investigation will ensue and all parties will be informed of the results of the investigation as appropriate.

### Administrative Complaint

A complaint is an allegation that challenges the interpretation of application of Board policies, or MCPS regulation or rules, except as delegated to an alternative process by a collective bargaining agreement, regulation, or statute, such as discrimination, as described above. *See also:*

MCPS Regulation GKA-RA, *Administrative Complaint*

MCPS Form 430-42, *Administrative Complaint*

### Grievance

A grievance means a claim that there has been a violation of the collective bargaining agreement between an individuals' employee association and the Board of Education. *See also:*

Negotiated Contract Agreements with MCAAP/MCBOA, MCEA, and SEIU Local 500

### Disabilities Accommodations and Modifications Request

The *Americans with Disabilities Act Amendments Act* of 2008 (ADAAA) is a comprehensive federal civil rights statute that provides certain employment protections to qualified individuals with disabilities. DCI is available to provide guidance in matters related to the rights of individuals with disabilities. *See also:*

MCPS Regulation ACG-RA, *Reasonable Accommodations and Modifications for Individuals with Disabilities with Regard to Employment, Services, Programs, and Activities*

MCPS Form 270-6, *Employee Request for ADA Accommodation/Modification*

### Religious Accommodation Request

Employees have the right to express their religious and nonreligious beliefs and practices, free from discrimination, bullying, and harassment. MCPS is committed to making feasible and reasonable accommodations for those beliefs and practices.

*MCPS Guidelines for Respecting Religious Diversity*

MCPS Form 270-7, *Employee Request for Religious Accommodation*

## ■ ENDNOTES

[1] Further information is available on the MCPS website, www.montgomeryschoolsmd.org. This *Employee Code of Conduct* is distinct from the *MCPS Student Code of Conduct* for students.

[2] For more information, search *Social Media: Best Practices for Employees* on the MCPS website.

[3] For more information, see the *MCPS Guidelines for Respecting Religious Diversity.*

[4] For more information, search *MCPS Best Practices for Email and other Digital Communications* on the MCPS website. MCPS prohibits special stationery, quotations or sayings as part of or following an employee's email signature. Only the motto or vision statement of an employee's specific school or of MCPS are acceptable.

[5] For more information, search *MCPS Guidelines for Student Gender Identity* on the MCPS website.

[6] For more information, search Student Welfare and Compliance on the MCPS website.

[7] For more information, see Board Policy BBB, *Ethics*, and MCPS Regulation GCA-RA, *Employee Conflict of Interest*.

[8] For more information, see MCPS Regulation JOA-RA, *Student Records*.

[9] For more information, see MCPS Regulation DIE-RA, *Travel for MCPS Purposes*.

[10] For more information, see MCPS Regulation GCB-RA, *Reporting and Handling Fraudulent Actions by MCPS Employees, Agents, or Contractors*. MCPS offers a hotline for anonymously reporting fraud, waste, or abuse, as an avenue for employees to raise concerns and reassurance that they will be protected from reprisals or victimization for whistleblowing in good faith. If employees feel that their anonymity is not required then they should share their concerns with their supervisor or other leaders in their school or department. More information is available at *www.montgomeryschoolsmd.org/departments/fraudhotline/*.

[11] For more information, see Board Policy IGN, *Preventing Alcohol, Tobacco, and Other Drug Abuse in Montgomery County Public Schools*, and MCPS Regulation COF-RA, *Alcohol, Tobacco, and Other Drugs on MCPS Property*. Use of alcohol on MCPS property is prohibited except for very limited circumstances when it may be approved by the Board.

[12] MCPS property includes any school or other facility, including grounds owned or operated by MCPS, buses and other MCPS vehicles, and the facility and/or grounds of any MCPS-sponsored activity involving students.

[13] Appropriate channels for raising workplace concerns include, for example. administrative complaints under MCPS Regulation GKA-RA, *Administrative Complaints*, and grievances pursuant to negotiated labor agreements.

[14] For more information, see MCPS Regulation IGT-RA, *User Responsibilities for Computer Systems, Electronic Information, and Network Security*, and *MCPS Best Practices for E-mail and Other Digital Communications.*

[15] For more information, see MCPS Regulation ILA-RA, *Assessments with Security and Reporting Requirements*.

[16] MCPS requires that all staff members self-report if they are arrested or criminally charged for any offenses listed in MCPS Regulation GCC-RA, *Staff Self-Reporting of Arrests, Criminal Charges, and Convictions*, as well as the disposition of any ensuing criminal proceeding. Staff members should use MCPS Form 230-41, *Staff Self-Reporting of Arrests, Criminal Charges, and Conviction*, to self-report. This requirement applies prospectively to arrests and criminal charges, as well as disposition of any criminal proceedings, that occur on or after October 1, 2016.

[17] For more information, see Board Policy KEA, *Political Campaigns and Political Materials*, and MCPS Regulation KEA-RA, *Participation in Political Campaigns and Distribution of Campaign Materials*.

[18] For more information, see MCPS Regulation IPD-RA, *Travel-Study Programs, Field Trips, and Student Organization Trips.*

[19] For more information, see Article 22F of the MCAAP agreement, Article 12 of the MCEA agreement, and Article 35C of the SEIU agreement.

[20] For more information, see Board Policy BBB, Ethics, and MCPS Regulation GCA-RA, *Employee Conflict of Interest*.

[21] For more information, see MCPS Regulation GCA-RA, *Employee Conflict of Interest*.

[22] For more information, see Board Policy BBB, Ethics, and MCPS Regulation GCA-RA, *Employee Conflict of Interest*.

[23] For more information, see Board Policy BBB, *Ethics,* and MCPS Regulation GCA-RA, *Employee Conflict of Interest*.

[24] For more information, see MCPS Regulation COE-RA, *Weapons*.

[25] For more information, see Board Policies ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, JHF, *Bullying, Harassment, or Intimidation*, and MCPS Regulation ACA-RA, *Human Relations*, and Regulation JHF-RA, *Bullying, Harassment, or Intimidation*. Under Policy ACA, MCPS prohibits illegal discrimination. Discrimination includes actions that are motivated by an invidious intent to target individuals based on their actual or perceived personal characteristics, as well as acts of hate, violence, insensitivity, disrespect, or retaliation—such as verbal abuse, harassment, bullying, slurs, threats, physical violence, vandalism, or destruction of property—that impede or affect the learning or work environment. Discrimination also includes conduct or practices that may be facially neutral but that have an unjustified disparate impact based on individuals' actual or perceived personal characteristics. Discrimination encompasses racism, sexism, and other forms of institutional prejudice in all their manifestations.

[26] For more information, see Board Policy JHC, *Child Abuse and Neglect*, and MCPS Regulation JHC-RA, *Reporting and Investigating Child Abuse and Neglect*. Criminal penalties also may apply to knowingly failing to report child abuse and neglect or interfering with reporting. For more information, see *Annotated Code of Maryland: Education Article Section 6-113*.

[27] For more information, see Board Policies ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, and JHF, *Bullying, Harassment, or Intimidation*, and MCPS Regulation ACA-RA, Human Relations, and Regulation JHF-RA, *Bullying, Harassment, or Intimidation*. Additional information is available in MCPS's *Guidelines for Respecting*

*Religious Diversity*, a publication designed to ensure our students have the right to express their religious beliefs and practices, free from discrimination, bullying, or harassment.

[28] For more information, see Board Policy JHF, *Bullying, Harassment, or Intimidation*, and MCPS Regulation, *JHF-RA, Bullying, Harassment, or Intimidation*.

[29] For more information see Board Policy JHC, *Child Abuse and Neglect*, and MCPS Regulation JHC-RA, *Reporting and Investigating Child Abuse and Neglect*. Please note that examples of inappropriate conduct listed in this Code of Conduct may constitute abuse or neglect, under certain circumstances. Under MCPS Regulation JHC-RA, abuse is defined as follows:

- Any physical injury, not necessarily visible, or mental injury of a child or vulnerable adult by any person who has permanent or temporary custody or responsibility for the care or supervision of a child or vulnerable adult under circumstances that indicate that the health or welfare of the child or vulnerable adult is harmed or at substantial risk of being harmed.
- Any sexual act or acts (whether physical injuries are sustained or not) involving sexual molestation or exploitation, including but not limited to incest, rape, or sexual offense in any degree, sodomy or unnatural or perverted sexual practices on a child or vulnerable adult by any person who has permanent or temporary custody or responsibility for the care or supervision of a child or vulnerable adult. Sexual molestation or exploitation includes, but is not limited to, engaging in exposure or voyeurism; making sexual advances; kissing or fondling; grooming for sexual activity; committing a sexual crime in any degree, including rape, sodomy, or prostitution; allowing, encouraging, or engaging in obscene or pornographic display, photographing, filming, or depiction of a child or vulnerable adult in a manner prohibited by law; or sex trafficking.

Under MCPS Regulation JHC-RA, neglect is defined as the leaving of a child or vulnerable adult unattended or other failure to give proper care or attention, or the provision of improper care or attention, to a child or vulnerable adult by any parent, guardian, family or household member, neighbor, MCPS employee, volunteer or contractor, a person in a position of authority, or any other person who has permanent or temporary care or custody or responsibility for supervision of the child or vulnerable adult under circumstances that indicate—

- that the child's or vulnerable adult's health or welfare is harmed or placed at substantial risk of harm, or
- mental injury to the child or vulnerable adult or a substantial risk of mental injury.

[30] For more information, see Maryland House Bill 1072 (2018), Education—Child Sexual Abuse Prevention—Instruction and Training.

[31] For more information, see Board Policies JGA, *Student Discipline*, and JFA, *Student Rights and Responsibilities*, and MCPS Regulations JGA-RA, *Classroom Management* and *Student Behavior Interventions*, JGA-RB, *Suspension and Expulsion*, JGA-RC, *Suspension and Expulsion of Students with Disabilities*, JFA-RA, *Student Rights and Responsibilities*, and the *MCPS Student Code of Conduct*.

[32] For more information, see MCPS Regulation JGA-RA, *Classroom Management and Student Behavior Interventions*.

[33] For more information, see Board Policy ABC, *Parent and Family Involvement*, and MCPS Regulation ABC-RA, *Parent and Family Involvement*.

[34] For more information, see MCPS Regulations ABA-RB, *School Visitors*, and IRB-RA, *Volunteers in Schools*.

[35] For more information, see Board Policies, ACA, *Nondiscrimination, Equity, and Cultural Proficiency*.

[36] For more information, see Board Policies ACF, *Sexual Misconduct and Sexual Harassment of Students*, and ACH, *Workplace Bullying*, ACH-RA, *Workplace Bullying*, and ACI, *Sexual Harassment of Employees*.

[37] This Memorandum of Understanding is available at *www.montgomeryschoolsmd.org/uploadedFiles/departments/security-new/220426-MCPS-Police-MOUCEO.pdf*.

[38] Section 6-113 of the Education Article of the Annotated Code of Maryland prohibits MCPS from knowingly hiring or retaining any employee who has been convicted of, or pled guilty or nolo contendere (no contest), to the following:

a. A **sexual offense** in the third or fourth degree under §3–307 or §3–308 of the Criminal Law Article of the Maryland Code or an offense under the laws of another state that would constitute an offense under §3–307 or §3–308 of the Criminal Law Article if committed in Maryland;

b. **Child sexual abuse** under §3-602 of the Criminal Law Article, or an offense under the laws of another state that would constitute child sexual abuse under §3-602 of the Criminal Law Article if committed in Maryland; or

c. A **crime of violence** as defined in §14–101 of the Criminal Law Article, or an offense under the laws of another state that would be a violation of §14–101 of the Criminal Law Article if committed in Maryland, including: (1) abduction; (2) arson in the first degree; (3) kidnapping; (4) manslaughter, except involuntary manslaughter; (5) mayhem; (6) maiming; (7) murder; (8) rape; (9) robbery; (10) carjacking; (11) armed carjacking; (12) sexual offense in the first degree; (13) sexual offense in the second degree; (14) use of a handgun in the commission of a felony or other crime of violence; (15) child abuse in the first degree; (16) sexual abuse of a minor; (17) an attempt to commit any of the crimes described in items (1) through (16) of this list; (18) continuing course of conduct with a child under §3-315 of the Criminal Law Article; (19) assault in the first degree; (20) assault with intent to murder; (21) assault with intent to rape; (22) assault with intent to rob; (23) assault with intent to commit a sexual offense in the first degree; and (24) assault with intent to commit a sexual offense in the second degree.

[39] Under the Code of Maryland Regulations (COMAR) 13A.12.05.02, the Maryland state superintendent of schools is **required** to revoke a certificate issued by

the Maryland State Board of Education to a teacher or other professional if an individual—

1. Pleads guilty or nolo contendere (no contest) with respect to, receives probation before judgment with respect to, or is convicted of a crime involving—
   a. Child abuse or neglect as defined in Criminal Law Article, §§3-601–3-603, Annotated Code of Maryland, or a comparable crime in another state, or
   b. A crime of violence as defined in Criminal Law Article, §14-101, Annotated Code of Maryland, or a comparable crime in another state; or
2. Is dismissed or resigns after notice of allegations of sexual child abuse.

In addition, COMAR 13A.12.05.02 states that the Maryland state superintendent of schools shall <u>either</u> suspend <u>or</u> revoke a professional certificate on a number of other grounds, including if the certificate holder—

1. Pleads guilty or nolo contendere (no contest) with respect to, receives probation before judgment with respect to, or is convicted of a crime involving—
   a. Contributing to the delinquency of a minor;
   b. Moral turpitude if the offense bears directly on the individual's fitness to teach; or
   c. A controlled dangerous substance offense as defined in federal or state law, and the sanction for this offense committed in Maryland shall be imposed in accordance with Article 41, §§1-501–1-507, and Criminal Law Article §5-810, Annotated Code of Maryland;
2. Willfully and knowingly—
   a. Makes a material misrepresentation or concealment in the application for a certificate,
   b. Files a false report or record about a material matter in the application for a certificate, or
   c. Commits a violation of the test security and data reporting policy and procedures set forth in COMAR 13A.03.04;
3. Fraudulently or deceptively obtains a certificate;
4. Knowingly fails to report suspected child abuse in violation of Family Law Article, §5-701, Annotated Code of Maryland;
5. Is dismissed or resigns after notice of allegation of misconduct involving a student in any school system or any minor, or allegation of misconduct involving any cause for suspension or revocation of a certificate provided in this regulation;
6. Has had a certificate suspended, revoked, or voluntarily surrendered in another state for a cause that would be grounds for suspension or revocation under this regulation.

[40] *Elementary and Secondary Education Act* of 1965 (ESEA), as amended by the *Every Student Succeeds Act* Section 8546 (20 U.S.C. § 7926), and details provided in MCPS Regulation JHC-RA, *Reporting and Investigating Child Abuse and Neglect*.

[41] Under Section 6-202 of the Education Article of the Annotated Code of Maryland, certificated employees may be suspended or dismissed for one or more of five different reasons: immorality; misconduct in office, including a knowing failure to report suspected child abuse in violation of Section 5-704 of the Family Law Article; insubordination; incompetence; and willful neglect of duty. These five statutory grounds for suspension or dismissal of certificated employees are broad in nature and, therefore, provide a basis (depending upon all relevant facts and circumstances) for adverse employment action resulting from, among many other things, convictions of criminal offenses stemming from either employment or non-employment-related activities.

[42] For more information, see COMAR 13A.06.07.07 (school vehicle operators) and COMAR 13A.06.07.08 (school vehicle attendants).

[43] The Code of Conduct is not intended to supplant the common law of labor arbitration or bar a duly appointed arbitrator applying it in cases arising under district collective bargaining agreements.

[44] The Compact is available at *www.montgomeryschoolsmd.org/staff/respect/*.

[45] For more information, see *www.montgomeryschoolsmd.org/departments/professionalgrowth/*.

[46] A full compendium of Board policies and MCPS regulations is available at *www.montgomeryschoolsmd.org/departments/policy/*.

[47] The Department of Transportation handbook is available at *www.montgomeryschoolsmd.org/departments/transportation/about/jcsbabo.pdf*, and is applied in conjunction with the collective bargaining agreement between the Board and SEIU.

# MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

(1) Title VI of the federal *Civil Rights Act of 1964*; and

(2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not

- (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
- (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
- (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at *www.montgomeryschoolsmd.org/info/nondiscrimination*.

| **For inquiries or complaints about discrimination against MCPS students*** | **For inquiries or complaints about discrimination against MCPS staff*** |
|---|---|
| Director of Student Compliance and Appeals<br>Division of Equity and Organizational Development<br>850 Hungerford Drive, Suite 200, Rockville, MD 20850<br>240-740-3215 \| SWC@mcpsmd.org | Human Resource Compliance Officer<br>Division of Human Resources and Talent Management<br>Department of Compliance and Investigations<br>15 West Gude Drive, Suite B400, Rockville, MD 20850<br>240-740-2888 \| DCI@mcpsmd.org |
| **For student requests for accommodations under** *Section 504 of the Rehabilitation Act of 1973* | **For staff requests for accommodations under the** *Americans with Disabilities Act* |
| Section 504 Coordinator<br>Division of Specialized Support Services,<br>School Counseling Services Unit<br>850 Hungerford Drive, Room 257, Rockville, MD 20850<br>240-987-8031 \| 504@mcpsmd.org | ADA Compliance Coordinator<br>Division of Human Resources and Talent Management<br>Department of Compliance and Investigations<br>15 West Gude Drive, Suite B400, Rockville, MD 20850<br>240-740-2888 \| DCI@mcpsmd.org |
| **For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff*** | |
| Title IX Coordinator<br>Division of Equity and Organizational Development, Student Compliance and Appeals<br>850 Hungerford Drive, Suite 200, Rockville, MD 20850<br>240-740-3215 \| TitleIX@mcpsmd.org | |

**This notification complies with the federal Elementary and Secondary Education Act, as amended.*

***This notification complies with the Code of Maryland Regulations Section 13A.01.07.*

****Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), 61 Forsyth St. S.W., Suite 19T10, Atlanta, GA 30303, 404-974-9406 and TDD: 800-877-8339, OCR.Atlanta@ed.gov, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.*

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.

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