

SOUTHERN LEHIGH SCHOOL DISTRICT
5775 Main Street
Center Valley, PA 18034

TO: Southern Lehigh School Board
FROM: Board Policy Committee
SUBJECT: Second Reading of New Policies
DATE: July 11, 2016

The following new policies are being sent to the Board for a second and final reading:

Policy No. **Title**

Policy 123.4 Programs: Hazing

Policy 626.1 Finances: Travel Reimbursement – Federal Programs

Policy 827 Operations: Conflict of Interest

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: HAZING

ADOPTED:

REVISED:

REVIEWED:

123.4 HAZING	
<p>1. Purpose H.B. #1574, 2015</p>	<p>As an integral part of the sports and activities sponsored by the school district, the Hazing Policy is meant to educate students and staff concerning the different ways in which Hazing may manifest itself, and to provide a process in which instances may be addressed and the practice eliminated.</p>
<p>2. Delegation of Responsibility</p>	<p>The Board directs that the Superintendent or his/her designee(s) be responsible for the overall enforcement of the Hazing Policy.</p>
<p>3. Definition</p>	<p><u>Hazing</u> – Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person or which willfully destroys, damages or removes public or private property for the purpose(s) of initiation, admission or affiliation with, or as a condition of continued membership in, any organization, club, sport or activity approved by the District Board of School Directors. The term shall include, but not be limited to:</p> <ol style="list-style-type: none"> 1. Any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements; 2. Forced consumption of any food, beverage, liquor or other substance; 3. Any other forced physical activity which could adversely affect the mental health of the individual. <p>The definition of Hazing includes any activity which would subject the individual to extreme mental stress, such as:</p> <ol style="list-style-type: none"> 1. Sleep deprivation; 2. Forced exclusion from social contact; 3. Forced conduct which could result in extreme embarrassment, 4. Any forced activity which could adversely affect the mental health or dignity of the individual; 5. Any willful destruction of public property. <p>For the purposes of this definition, any activity as described above upon which the initiation or admission into, affiliation with, or continued membership in an</p>

4. Policy	<p>organization, club, sport or activity approved by the District Board of School Directors is directly or indirectly conditioned shall be presumed to be forced activity, the willingness of an individual to participate in such activity notwithstanding.</p> <p><u>Policy</u> The practice of hazing in connection with any District sport, club, or activity sponsored by or affiliated in any way with the Southern Lehigh School District is strictly forbidden.</p>
5. Consequence	<p>Hazing shall be punishable as a serious offense under the provisions of the Student Conduct Code, Public School Law or Policy 517, whichever is applicable.</p>
6. Reporting	<p>Hazing may be reported to any of the following: Coach, Activity Advisor, Teacher, Athletic Director, Principal or Assistant Principal, Title IX Officer, the Human Resources Administrator or the Superintendent or Assistant to the Superintendent. Such complaint shall be immediately relayed to the Superintendent for the coordination of action.</p>
7. Communications	<p>A copy of this Policy shall be:</p> <ol style="list-style-type: none">1. Posted on the District's general website,2. Given to every coach at hire,3. Posted on the Athletic Department web page,4. Reviewed at annual coaches' meetings by the Athletic Director,5. Reviewed annually with teaching staff.

SECTION: OPERATIONS

TITLE: TRAVEL REIMBURSEMENT – FEDERAL PROGRAMS

ADOPTED:

REVISED:

SOUTHERN LEHIGH SCHOOL DISTRICT

626.1. TRAVEL REIMBURSEMENT – FEDERAL PROGRAMS

- 1. Authority
SC 516.1, 517
2 CFR
Sec. 200.474

The Board shall reimburse administrative, professional and support employees, and school officials, for travel costs incurred in the course of performing services related to official business as a federal grant recipient.

- 2. Definition
2 CFR.
Sec. 200.474

For purposes of this policy, **travel costs** shall mean the expenses for transportation, lodging, subsistence, and related items incurred by employees and school officials who are in travel status on official business as a federal grant recipient.

- 3. Delegation of Responsibility

School officials and district employees shall comply with applicable Board policies and administrative regulations established for reimbursement of travel and other expenses.

The validity of payments for travel costs for all district employees and school officials shall be determined by the Business Manager.

- 4. Guidelines
2 CFR
Sec. 200.474

Travel costs shall be reimbursed on a mileage basis for travel using an employee's personal vehicle and on an actual cost basis for meals, lodging and other allowable expenses, consistent with those normally allowed in like circumstances in the district's nonfederally funded activities, and in accordance with the district's travel reimbursement policies and administrative regulations.

Mileage reimbursements shall be at the rate approved by the Board for other district travel reimbursements. Actual costs for meals, lodging and other allowable expenses shall be reimbursed only to the extent they are reasonable and do not exceed the per diem limits established by the federal General Services Administration for federal employees for locale where incurred.

All travel costs must be presented with an itemized, verified statement prior to reimbursement.

In addition, if these costs are charged directly to the federal award, documentation must be maintained that justifies that:

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<p>SC 516.1, 517</p> <p>2 CFR Sec. 200.474</p>	<ol style="list-style-type: none">1. Participation of the individual is necessary to the federal award.2. The costs are reasonable and consistent with the district's established policy. <p>References:</p> <p>School Code – 24 P.S. Sec. 516.1, 517</p> <p>Uniform Administrative Requirements for Federal Awards, Title 2, Code of Federal Regulations – 2 CFR Sec. 200.474</p>
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SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: CONFLICT OF INTEREST

ADOPTED:

REVISED:

827. CONFLICT OF INTEREST	
<p>1. Purpose</p>	<p>This policy shall affirm standards of conduct established to ensure that Board members and employees avoid potential and actual conflicts of interest, as well as the perception of a conflict of interest.</p>
<p>2. Definitions 65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>Confidential information shall mean information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>Conflict or Conflict of interest shall mean use by a Board member or district employee of the authority of his/her office or employment, or any confidential information received through his/her holding public office or employment, for the private pecuniary benefit of him/herself, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated. The term does not include an action having a de minimis economic impact, or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the Board member or district employee, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>De minimis economic impact shall mean an economic consequence which has an insignificant effect.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>Financial interest shall mean any financial interest in a legal entity engaged in business for profit which comprises more than five percent (5%) of the equity of the business or more than five percent (5%) of the assets of the economic interest in indebtedness.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>Honorarium shall mean payment made in recognition of published works, appearances, speeches and presentations, and which is not intended as consideration for the value of such services which are nonpublic occupational or professional in nature. The term does not include tokens presented or provided which are of de minimis economic impact.</p>

<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>Immediate family shall mean a parent, parent-in-law, spouse, child, spouse of a child, brother, brother-in-law, sister, sister-in-law, or the domestic partner of a parent, child, brother or sister.</p>
	<p>Business partner shall mean a person who, along with another person, plays a significant role in owning, managing, or creating a company in which both individuals have a financial interest in the company.</p>
<p>3. Delegation of Responsibility</p>	<p>Each employee and Board member shall be responsible to maintain standards of conduct that avoid conflicts of interest. The Board prohibits members of the Board and district employees from engaging in conduct that constitutes a conflict of interest as outlined in this policy.</p>
<p>4. Guidelines</p>	<p>All Board members and employees shall be provided with a copy of this policy and acknowledge in writing that they have been made aware of it. Additional training shall be provided to designated individuals.</p>
	<p><u>Disclosure of Financial Interests</u></p> <p>No Board member shall be allowed to take the oath of office or enter or continue upon his/her duties, nor shall s/he receive compensation from public funds, unless s/he has filed a statement of financial interests as required law.</p>
<p>65 Pa. C.S.A. Sec. 1104 Title 51 Sec. 15.2</p>	<p>The district solicitor and designated district employees shall file a statement of financial interests as required by law and regulations.</p>
	<p><u>Standards of Conduct</u></p>
<p>2 CFR Sec. 200.318</p>	<p>The district maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees and Board members engaged in the selection, award and administration of contracts.</p>
<p>2 CFR Sec. 200.318</p>	<p>No employee or Board member may participate in the selection, award or administration of a contract supported by a federal award or any other type of contract if s/he has a real or apparent conflict of interest as defined above, as well as any other circumstance in which the employee, Board member, any member of his/her immediate family, his/her business partner, or an organization which employs or is about to employ any of them, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.</p>

<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>The district shall not enter into any contract with a Board member or employee, or his/her spouse or child, or any business in which the person or his/her spouse or child is associated valued at \$500 or more, nor in which the person or spouse or child or business with which associated is a subcontractor unless the Board has determined it is in the best interests of the district to do so, and the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the Board member or employee shall not have any supervisory or overall responsibility for the implementation or administration of the contract.</p> <p>When advertised formal bidding is not required or used, an open and public process shall include at a minimum:</p> <ol style="list-style-type: none"> 1. Public notice of the intent to contract for goods or services; 2. A reasonable amount of time for potential contractors to consider whether to offer quotes; and 3. Post-award public disclosure of who made bids or quotes and who was chosen.
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>Any Board member or employee who in the discharge of his/her official duties would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his/her interest as a public record.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>No public official or public employee shall accept an honorarium.</p>
<p>2 CFR Sec. 200.318</p>	<p>Board members and employees may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Gifts of a nominal value may be accepted.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p><u>Improper Influence</u></p> <p>No person shall offer or give to a Board member, employee or nominee or candidate for the Board, or a member of his/her immediate family or a business with which s/he is associated, anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment based on the offeror's or donor's understanding that the vote, official action or judgment of the Board member, employee or nominee or candidate for the Board would be influenced thereby.</p>

<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>No Board member, employee or nominee or candidate for the Board shall solicit or accept anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment, based on any understanding of that Board member, employee or nominee or candidate that the vote, official action or judgment of the Board member, employee or nominee or candidate for the Board would be influenced thereby.</p>
<p>2 CFR Sec. 200.318</p>	<p><u>Organizational Conflicts</u></p> <p>Organizational conflicts of interest may exist when due to the district's relationship with a subsidiary, affiliated or parent organization that is a candidate for award of a contract in connection with federally funded activities, the district may be unable or appear to be unable to be impartial in conducting a procurement action involving a related organization.</p> <p>In the event of a potential organizational conflict, the potential conflict shall be reviewed by the Superintendent or designee to determine whether it is likely that the district would be unable or appear to be unable to be impartial in making the award. If such a likelihood exists, this shall not disqualify the related organization; however, the following measures shall be applied:</p> <ol style="list-style-type: none"> 1. The organizational relationship shall be disclosed as part of any notices to potential contractors; 2. Any district employees or officials directly involved in the activities of the related organization are excluded from the selection and award process; 3. A competitive bid, quote or other basis of valuation is considered; and 4. The Board has determined that contracting with the related organization is in the best interests of the program involved. <p><u>Reporting</u></p> <p>Any perceived conflict of interest that is detected or suspected by any employee or third party shall be reported to the Superintendent. If the Superintendent is the subject of the perceived conflict of interest, the employee or third party shall report the incident to the Board President.</p> <p>Any perceived conflict of interest of a Board member that is detected or suspected by any employee or third party shall be reported to the Board President. If the Board President is the subject of the perceived conflict of interest, the employee or third party shall report the incident to the Superintendent, who shall report the incident to the solicitor.</p>

No reprisals or retaliation shall occur as a result of good faith reports of conflicts of interest.

Investigation

Investigations based on reports of perceived violations of this policy shall comply with state and federal laws and regulations. No person sharing in the potential conflict of interest being investigated shall be involved in conducting the investigation or reviewing its results.

In the event an investigation determines that a violation of this policy has occurred, the violation shall be reported to the federal awarding agency in accordance with that agency's policies.

Disciplinary Actions

If an investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.

Violations of this policy may result in disciplinary action up to and including discharge, fines and possible imprisonment. Disciplinary actions shall be consistent with Board policies, procedures, applicable collective bargaining agreements and state and federal laws.

References:

State Ethics Commission Regulations -- 51 PA Code Sec. 15.2

Public Official and Employee Ethics Act -- 65 Pa. C.S.A. Sec. 1101 et seq.

Uniform Administrative Requirements for Federal Awards, Title 2, Code of Federal Regulations -- 2 CFR Sec. 200.318

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