



Professional Ethics (PE) Program Framework Guidelines

Introduction

On April 23, 2022, the final form amendments to **Chapter 49 (relating to Certification of Professional Personnel)** of Title 22 of the Pennsylvania Code became effective upon publication in the *Pennsylvania Bulletin*.¹

22 Pa. Code § 49.14(4)(i) requires the Pennsylvania Department of Education (PDE) to identify competencies and develop associated standards for educator training in professional ethics.

Chapter 49 requires instruction in professional ethics to be integrated in educator preparation, induction, and continuing professional development programs as follows.²

- Continuing professional development programs must integrate the professional ethics competencies no later than the 2023-24 academic year.
- Educator preparation and induction programs must integrate the professional ethics competencies no later than the 2024-25 academic year.

22 Pa. Code § 49.1. *Definitions* defines “professional ethics” as the standards of behavior, values, and principles that inform and guide professional decision-making. These standards of behavior, values, and principles include those detailed in the Pennsylvania [Model Code of Ethics for Educators](#) (MCEE), as adopted by the [Pennsylvania Professional Standards and Practices Commission](#). See Appendix A.

¹ <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-17/624.html&continued=/secure/pabulletin/data/vol52/52-17/624a.html&d=reduce>

² <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-17/624.html&continued=/secure/pabulletin/data/vol52/52-17/624a.html&d=reduce>

COMPETENCIES: PROFESSIONAL ETHICS (PE)

<i>Professional educators:</i>	
PE.1	Demonstrate their understanding of the PA Code of Professional Practice and Conduct for Educators and the PA Educator Discipline Act.
PE.2	Describe the function of the PA Professional Standards and Practices Commission and its role in professional disciplinary actions for educators.
PE.3	Differentiate between codes of conduct and codes of ethics and explain how each informs professional practice and decision making.
PE.4	Demonstrate their understanding of their responsibility to the profession as described in Principle 1 of the PA Model Code of Ethics for Educators (MCEE).
PE.5	Demonstrate their understanding of their responsibility for professional competence as described in Principle 2 of the PA Model Code of Ethics for Educators (MCEE).
PE.6	Demonstrate their understanding of their responsibility to students as described in Principle 3 of the PA Model Code of Ethics for Educators (MCEE).
PE.7	Demonstrate their understanding of their responsibility to the school community as described in Principle 4 of the PA Model Code of Ethics for Educators (MCEE).
PE.8	Demonstrate their understanding of the expectation for responsible and ethical use of technology as described in Principle 5 of the PA Model Code of Ethics for Educators (MCEE).

APPENDIX A

PENNSYLVANIA MODEL CODE OF ETHICS FOR EDUCATORS

The Pennsylvania Professional Standards and Practices Commission (PSPC) has adopted the Model Code of Ethics for Educators (MCEE), 2nd edition, published by the National Association of State Directors of Teacher Education and Certification (NASDTEC), as the Pennsylvania Model Code of Ethics for Educators.³ The MCEE is reprinted below. The MCEE and related resources, including the free MCEE Video Series and Discussion Guide, are also available for download on the NASDTEC website.⁴

Principle I: Responsibility to the Profession

The professional educator knows that trust in the profession depends upon a level of professional responsibility that may be higher than the minimal standard of policy and law. This responsibility entails holding oneself and other educators to the same ethical standards.

A. The professional educator demonstrates responsibility to oneself and the profession by:

1. Holding oneself responsible to Model Code of Ethics for Educators (MCEE) and other recognized professional ethics standards;
2. Knowing and upholding the procedures, policies and laws relevant to professional practice regardless of personal views;
3. Monitoring and maintaining sound mental, physical and emotional health necessary to perform duties and services of any professional assignment and taking appropriate measures when personal or health-related issues may interfere with work-related duties;
4. Refraining from professional or personal activity that may lead to reducing one's effectiveness within the school community;
5. Refraining from using one's position for personal gain and avoiding the appearance of impropriety;
6. Taking responsibility and credit only for work actually performed or produced, and acknowledging the work and contributions made by others; and
7. Recognizing a lack of knowledge or understanding of the MCEE is not, in itself, a defense of unprofessional conduct.

B. The professional educator fulfills the obligation to address and attempt to

3. 22 Pa. Code § 238.1

4. <https://www.nasdtec.net>

resolve ethical issues by:

1. Identifying and taking reasonable steps to resolve conflicts between the MCEE and the implicit or explicit demands of a person or organization;
2. Maintaining fidelity to the MCEE by taking proactive steps when having reason to believe that another educator may be approaching or involved in an ethically compromising situation;
3. Refraining from discriminating or retaliating against a person on the basis of having made an ethics complaint;
4. Refraining from filing or encouraging frivolous ethics complaints solely to harm or retaliate; and
5. Cooperating fully and honestly during investigations and proceedings.

C. The professional educator promotes and advances the profession within and beyond the school community by:

1. Engaging in respectful discourse regarding issues that impact the profession;
2. Influencing and supporting decisions and actions that positively impact teaching and learning, educational leadership and student services;
3. Staying current with ethics guidelines and decisions from professional organizations and other relevant sources;
4. Engaging with the greater educational community through professional organizations and associations; and
5. Advocating for adequate resources and facilities to ensure equitable opportunities for all members within the learning community.

Principle II: Responsibility for Professional Competence

The professional educator is committed to the highest levels of professional and ethical practice.

A. The professional educator demonstrates commitment to high standards of practice through:

1. Using the MCEE and other ethics codes unique to one's discipline to guide and frame educational decision-making;
2. Incorporating into one's practice state and national standards, including those specific to one's discipline;
3. Advocating for equitable educational opportunities for all students;
4. Accepting the responsibilities, performing duties and providing services corresponding to the area of certification, licensure and/or training of one's position;
5. Reflecting upon and assessing one's professional skills, knowledge and competency on an ongoing basis; and
6. Committing to ongoing professional learning.

B. The professional educator demonstrates responsible use of data, materials, research, and assessment by:

1. Recognizing others' work by appropriately citing data or materials from published, unpublished or electronic sources when disseminating information;
2. Using appropriate assessments for the purposes for which they are intended and for which they have been validated to guide educational decisions;
3. Conducting research in an ethical and responsible manner with appropriate permission and supervision;
4. Seeking and using evidence, instructional data, research and professional knowledge to inform practice;
5. Creating, maintaining, disseminating, storing, retaining and disposing of records and data relating to one's research and practice, in accordance with, but not limited to, official guidance, policy and laws; and
6. Using data, data sources, or findings accurately, reliably and ethically.

C. The professional educator demonstrates competence by acting in the best interest of all students by:

1. Increasing students' access to the curriculum, activities and resources in order to provide a quality and equitable educational experience;
2. Working to engage the school community to close achievement, opportunity and attainment gaps; and
3. Protecting students from any practice that harms or has the reasonable potential to harm.

Principle III: Responsibility to Students

The professional educator has a primary obligation to promote the health, safety and well-being of all students. The professional educator treats students with dignity and respect, and establishes and maintains appropriate verbal, physical, emotional and social boundaries.

A. The professional educator respects the rights and dignity of all students by:

1. Respecting students by taking into account their individual characteristics, including but not limited to age, gender, culture, setting, ability and socioeconomic context.
2. Interacting with students with transparency and in appropriate settings;
3. Communicating with students in a clear, respectful and culturally sensitive manner;
4. Taking into account how appearance and dress can affect one's

- interactions and relationships with students;
5. Considering the implications of accepting gifts from or giving gifts to students;
 6. Engaging in physical contact with students only when there is a clearly defined purpose that benefits students and continually keeps their health, safety and well-being in mind;
 7. Avoiding multiple relationships with students that might impair objectivity and increase the risk of harm to their well-being or decrease educator effectiveness;
 8. Acknowledging there are no circumstances that allow for educators to engage in romantic or sexual relationships with students; and
 9. Considering the ramifications of entering into an adult relationship of any kind with a former student, including but not limited to, any potential harm to the former *student*, *public* perception and the possible impact on the educator's career. The professional educator ensures the adult relationship was not started while the former student was in school.

B. The professional educator demonstrates an ethic of care through:

1. Seeking to understand students' educational, academic, personal and social needs as well as their values, beliefs and cultural background;
2. Respecting the dignity, worth and uniqueness of each individual student including, but not limited to, actual and perceived gender, gender expression, gender identity, sexual orientation, civil status, family status, religion, age, disability, race, ethnicity, socioeconomic context and culture; and
3. Establishing and maintaining an environment that promotes the emotional, intellectual, physical and sexual safety of all students.

C. The professional educator maintains student trust and confidentiality when interacting with students in a developmentally appropriate manner and within appropriate limits by:

1. Respecting the privacy of students and the need to hold in confidence certain forms of student communication, documents or information obtained in the course of professional practice;
2. Upholding parents'/guardians' legal rights, as well as any legal requirements, to reveal information related to legitimate concerns for the well-being of a student; and
3. Protecting the confidentiality of student records and releasing personal data in accordance with prescribed state and federal laws and local policies.

Principle IV: Responsibility to the School Community

The professional educator promotes appropriate relationships and effective interactions with members of the school community.

A. The professional educator promotes appropriate and effective relationships with parents/guardians by:

1. Communicating with parents/guardians in a timely, respectful and culturally sensitive manner that represents the students' best interests;
2. Demonstrating a commitment to equality, equity, diversity and inclusion with parents/guardians;
3. Considering the implication of accepting gifts from or giving gifts to parents/guardians; and
4. Maintaining appropriate confidentiality with respect to student information disclosed by or to parents/guardians unless required by law.

B. The professional educator promotes appropriate and effective relationships with colleagues by:

1. Respecting colleagues as fellow professionals and maintaining civility when differences arise;
2. Resolving conflicts, whenever possible, privately and respectfully and in accordance with policy;
3. Working to ensure a workplace environment that is free from harassment;
4. Collaborating with colleagues in a manner that supports academic achievement and related goals that promote the best interests of students;
5. Keeping student safety, education, and health paramount by maintaining and sharing educational records appropriately and objectively in accordance with local policies and state and federal laws;
6. Enhancing the professional growth and development of new educators by supporting effective field experiences, mentoring or induction activities across the career continuum;
7. Ensuring educators who participate as mentors for new educators, cooperating teachers and leadership positions are prepared and supervised to assume these roles; and
8. Demonstrating a commitment that educators are assigned to positions in accordance with their educational credentials, preparation and/or training to maximize students' opportunities and achievement.

C. The professional educator promotes appropriate and effective relationships with the community and other stakeholders by:

1. Maintaining the highest professional standards of accuracy, honesty and appropriate disclosure of information when representing the school or district

- within the community and in public communications;
- 2. Advocating for policies and laws benefitting students and families within the school community; and
- 3. Collaborating with community agencies, organizations and individuals in order to advance students' best interests.

D. The professional educator promotes appropriate and effective relationships with employers by:

- 1. Exhibiting personal and professional conduct that is in the best interest of the organization, learning community, school community and profession;
- 2. Using property, facilities, materials and resources in accordance with local policies and state and federal laws;
- 3. Respecting intellectual property rights (e.g., original lesson plans, district level curricula, syllabi, gradebooks) when sharing materials; and
- 4. Considering the implications of offering or accepting gifts and/or preferential treatment by vendors or an individual in a position of professional influence or power.

E. The professional educator recognizes the problematic nature of multiple relationships by:

- 1. Considering the risks that multiple relationships might impair objectivity, increase the likelihood of harm to students' learning and well-being, or diminish educator effectiveness;
- 2. Considering the risks and benefits of a professional relationship with someone with whom the educator has a current or past personal relationship;
- 3. Considering the implications and possible ramifications of engaging in a personal relationship with parents/guardians, student teachers, colleagues and supervisors; and
- 4. Ensuring professional responsibilities to paraprofessionals, student teachers or interns do not interfere with responsibilities to students, their learning and well-being.

Principle V: Responsible and Ethical Use of Technology

The professional educator considers the impact of consuming, creating, distributing and communicating information through all technologies. The ethical educator is vigilant to ensure appropriate boundaries associated with role, time and place are maintained when using electronic communication.

A. The professional educator uses technology in a responsible manner by:

1. Using social media transparently and primarily for purposes of teaching and learning per school and district policy. The professional educator considers the ramifications of using social media and direct communication via technology with one's interactions with students, colleagues and the general public;
2. Staying current with trends and uses of school technology;
3. Evaluating information obtained electronically for reliability and bias;
4. Respecting intellectual property rights, copyright and fair use when accessing, using and documenting proprietary materials;
5. Understanding and abiding by the district's policy on the use of technology and communication;
6. Recognizing that some electronic communications are records under the Freedom of Information Act (FOIA) and state public access laws;
7. Considering the implications of sharing legally protected or other sensitive information electronically either via professional or personal devices/accounts; and
8. Exercising vigilance in maintaining separate and professional virtual profiles and keeping personal and professional lives distinct.

B. The professional educator ensures students' safety and well-being when using technology by:

1. Being vigilant in identifying, addressing and reporting (when appropriate and in accordance with local school, district, state and federal policy) inappropriate and illegal materials/images in electronic or other forms;
2. Respecting the privacy of students' presence on social media unless there is possible risk of harm to the student or others; and
3. Being attentive to (and appropriately reporting) information concerning possible cyber bullying incidents and their potential impact on the student learning environment.

C. The professional educator maintains confidentiality with the use of technology by:

1. Taking appropriate and reasonable measures to maintain confidentiality of privileged information and stored or transmitted educational records;
2. Understanding the intent of Federal Educational Rights to Privacy Act (FERPA) and how it applies to sharing student records electronically;
3. Ensuring the rights of third parties, including the right of privacy, are not violated via the use of technology; and
4. Protecting information from being shared with unintended third parties through technology.

D. The professional educator promotes the appropriate use of technology in educational settings by:

1. Advocating for equal and equitable access to technology for all students;
2. Promoting the benefits and clarifying the limitations of various appropriate technological applications with colleagues, appropriate school personnel, parents and community members;
3. Promoting technological applications that assist and enhance the teaching and learning process; and
4. Practicing and advocating for cybersecurity to protect oneself, others and the integrity of the network.

Operational Definitions

Boundaries:

The verbal, physical, emotional and social distances that an educator should consider providing structure, security and predictability. Challenges with boundaries often relate to role, time and place. Appropriate boundaries are established for the school community by respecting contracted roles, working hours and the location of the learning environment.⁵

Culture:

The customary beliefs, social forms, and material traits of a racial, religious or social group, including the characteristic features of everyday existence shared by people in a place or time.⁶

Implicit or Explicit Demands of an Organization:

Implicit demands are often subjective or implied and reflect the culture of the schooling environment. Explicit demands are clearly articulated through directives, policies, regulations or statutes.

Harm:

Any potential action that may impair physical, emotional, psychological, sexual or intellectual safety and well-being of a student or a member of the school community.

Learning Community:

Educators working together to achieve the shared goals of strengthening professional practice and student growth.

Multiple Relationships:

Multiple relationships occur when an educator has both a professional and personal affiliation with a member(s) of the school community.

5. Stone, Carolyn (2013). *School counseling principles: ethics and law* (3rd ed.). Alexandria, VA: American School Counseling Association, 58

6. <http://www.merriam-webster.com/dictionary/culture>

New Educators:

Pre-service educators and recently employed in-service educators.

Professional Educators:

Licensed educators and other professionals employed by a school entity who demonstrate the highest standards of ethical and professionally competent practice and are committed to advancing the interests, achievements, and well-being of students. Professional educators are also committed to supporting the school community and the education profession. They include, but are not limited to, licensed educators, paraprofessionals, teachers, teacher leaders, student support personnel, administrators, coaches, administrative assistants, custodians and other school staff.

Proprietary materials:

Materials that are protected from unauthorized use by copyright or other forms of intellectual property rights.

Risk:

A non-desirable consequence that may occur as a result of the situation (e.g., risk to student(s), educator, colleagues, school, profession).

School Community:

Stakeholders invested in the welfare of a school and its community. A school community includes school employees, students, their parents and families, school board members and other community members.⁷

Sensitive Information:

Information gathered through one's professional practice that, if shared, could cause harm.

Student:

A learner enrolled in or receiving services from a P-12 school unless otherwise defined by state statute.

Technology:

Current and future tools, systems, applications and processes that can include, but are not limited to, electronic communications networks such as the internet and electronic devices (e.g., computers, laptops, phones and other hardware/software) that deliver text, audio, images, animation and streaming video.

7. <http://edglossary.org/school-community/>

Third Party:

Third party refers to a person or a group besides those primarily involved in a situation.

Transparency:

An educator's openness with respect to one's behaviors, actions and communications.

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APPENDIX B PENNSYLVANIA CODE OF PROFESSIONAL PRACTICE AND CONDUCT FOR EDUCATORS

In addition to the Pennsylvania MCEE, which provides practitioners with a framework for discussing ethical issues and selecting the best course of action given their specific context, the Professional Standards and Practices Commission (PSPC) adopted and maintains a code for professional practice and conduct that constitutes enforceable standards of professional conduct for educators. The [Code of Professional Practice and Conduct for Educators](#)⁸ delineates educators' commitment to students, colleagues, and the profession.

§ 235.1. Mission.⁹

The Professional Standards and Practices Commission (PSPC) is committed to providing leadership for improving the quality of education in this Commonwealth by establishing high standards for preparation, certification, practice and ethical conduct in the teaching profession.

§ 235.2. Introduction.

- a. Professional conduct defines interactions between the individual educator and students, the employing agencies and other professionals. Generally, the responsibility for professional conduct rests with the individual educator. However, in this Commonwealth, the Professional Standards and Practices Commission (PSPC) is charged with the duty to adopt and maintain a code for professional practice and conduct that shall be applicable to any educator. See section 5(a)(10) of the Educator Discipline Act (act) (24 P.S. § 2070.5(a)(10)).
- b. In recognition of the magnitude of the responsibility inherent in the education process and by virtue of the desire to maintain the respect and confidence of

⁸ <https://www.pspc.education.pa.gov/Documents/Statutes%20Regs%20Forms/Code%20of%20Conduct.pdf>

⁹ <http://pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/022/chapter235/chap235toc.html>

their colleagues, students, parents and the community, educators shall be guided in their conduct by their commitment to their students, colleagues and profession.

- c. Violations of any of the duties prescribed by this chapter may be used as supporting evidence in disciplinary proceedings conducted by or on behalf of the PSPC under the act. Violations of this chapter may also be an independent basis for a public or private reprimand. Discipline for conduct that constitutes both a basis for discipline under the act and an independent basis for discipline under this chapter shall not be limited to a public or private reprimand. Nothing in this chapter shall be construed to otherwise limit the Department of Education's authority to initiate an action under the act to suspend, revoke or otherwise discipline an educator's certificate or employment eligibility, or both.
- d. Nothing in this chapter shall be construed or interpreted to require an educator to violate any of the doctrines, tenets, policies, or practices of any religious or religiously affiliated school in which that educator is employed.

§ 235.3a. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Educator Discipline Act (act) (24 P.S. §§ 2070.1a—2070.18c).

Boundaries—The verbal, physical, emotional and social distances between an educator and a student.

Educator—As defined in section 1.2 of the act (24 P.S. § 2070.1b).

Electronic communication—A communication transmitted by means of an electronic device such as a telephone, cellular telephone, computer, computer network, personal data assistant or pager, including e-mails, text messages, instant messages and communications made by means of an Internet web site, such as social media and social networking web sites, or mobile device applications.

Harm—The impairment of learning or any physical, emotional, psychological, sexual or intellectual damage to a student or a member of the school community.

School entity—As defined in section 1.2 of the act (24 P.S. § 2070.1b).

Sexual misconduct—As defined in section 1.2 of the act (24 P.S. § 2070.1b).

Unauthorized drugs—Any controlled substance or other drug possessed by a person not authorized by law to possess such controlled substance or other drug.

§ 235.5a. Commitment to students.

- a. The primary professional obligation of educators is to the students they serve.
- b. In fulfillment of the commitment to students, educators:
 1. Shall exercise their rights and powers in good faith and for the benefit of the student.
 2. Shall maintain appropriate professional relationships and boundaries with all students at all times, both in and outside the classroom.
 3. Shall not sexually harass students or engage in sexual misconduct.

4. Shall exert reasonable effort to protect students from harm.
5. Shall not intentionally expose a student to disparagement.
6. Shall exhibit consistent and equitable treatment and shall not unlawfully discriminate against students.
7. Shall not interfere with a student's exercise of political or civil rights and responsibilities.
8. Shall not knowingly or intentionally distort or misrepresent evaluations of students or facts regarding students.
9. Shall not knowingly or intentionally misrepresent subject matter or curriculum.
10. Shall respect a student's right to privacy and comply with all Federal and State laws and regulations, and local policies concerning student records and confidential communications of students.
11. Shall not be on school premises or at a school-related activity involving students, while under the influence of, possessing or consuming alcoholic beverages or illegal or unauthorized drugs.
12. Shall not furnish, provide, or encourage students or underage persons to use, possess or unlawfully distribute alcohol, tobacco, vaping products, illegal or unauthorized drugs or knowingly allow any student or underage person to consume alcohol, tobacco, vaping products, or illegal or unauthorized drugs in the presence of the educator.
13. Shall refrain from inappropriate communication with a student or minor, including, inappropriate communication achieved by electronic communication. Inappropriate communication includes communications that are sexually explicit, that include images, depictions, jokes, stories or other remarks of a sexualized nature, that can be reasonably interpreted as flirting or soliciting sexual contact or a romantic relationship, or that comment on the physical or sexual attractiveness or the romantic or sexual history, activities, preferences, desires or fantasies of either the educator or the student. Factors that may be considered in assessing whether other communication is inappropriate include:
 14. The nature, purpose, timing and amount/extent of the communication;
 15. The subject matter of the communication; and
 16. Whether the communication was made openly, or the educator attempted to conceal the communication.

§ 235.5b. Commitment to colleagues.

In fulfillment of the commitment to colleagues, educators:

1. Shall not knowingly and intentionally deny or impede a colleague in the exercise or enjoyment of a professional right or privilege in being an educator.
2. Shall not knowingly and intentionally distort evaluations of colleagues.
3. Shall not sexually harass a colleague.
4. Shall not unlawfully discriminate against colleagues.
5. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.

6. Shall not use coercive means or promise special treatment to influence professional decisions of colleagues.
7. Shall not threaten, coerce or discriminate against a colleague who in good faith reports or discloses to a governing agency actual or suspected violations of law, agency regulations, or standards.
8. Shall respect a colleague's right to privacy and comply with all Federal and State laws and regulations, and local policies concerning confidential health or personnel information.

§ 235.5c. Commitment to the profession.

In fulfillment of the commitment to the profession, educators:

1. Shall comply with all federal, state, and local laws and regulations and with written school entity policies.
2. Shall apply for, accept, or assign a position or a responsibility on the basis of professional qualifications and abilities.
3. Shall not knowingly assist entry into or continuance in the education profession of an unqualified person or recommend for employment a person who is not certificated appropriately for the position.
4. Shall not intentionally or knowingly falsify a document or intentionally or knowingly make a misrepresentation on a matter related to education, criminal history, certification, employment, employment evaluation or professional duties.
5. Shall not falsify records or direct or coerce others to do so.
6. Shall accurately report all information required by the local school board or governing board, State education agency, federal agency or state or federal law.
7. Shall not knowingly or intentionally withhold evidence from the proper authorities and shall cooperate fully during official investigations and proceedings.
8. Shall comply with all local, state or federal procedures related to the security of standardized tests, test supplies or resources. Educators shall not intentionally or knowingly commit, and shall use reasonable efforts to prevent, any act that breaches test security or compromises the integrity of the assessment, including copying or teaching identified test items, publishing, or distributing test items or answers, discussing test items, providing unauthorized assistance to students, unauthorized alteration of test responses, results or data, and violating local school board or state directions for the use of tests.
9. Shall not accept or offer gratuities, gifts, or favors that impair or appear to influence professional judgment, decisions, or actions or to obtain special advantage. This section shall not restrict the acceptance of de minimis gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
10. Shall not exploit professional relationships with students, parents or colleagues for personal gain or advantage.
11. Shall use school funds, property, facilities, and resources only in accordance with local policies and local, state, and federal laws.

APPENDIX C ACKNOWLEDGMENTS

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