

ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

ADMINISTRATIVE POLICY 6.04 EMPLOYEE CODE OF ETHICS

Employees of the Milwaukee Public Schools (MPS), including the Board, recognize that they are accountable to the citizens of the City of Milwaukee. As such, they shall seek to maintain standards of high ethical conduct, avoiding both the actuality and appearance of conflict of interest. This code of ethics is intended to support the employees in the achievement of such standards.

(1) DEFINITIONS

(a) *Consulting.* "Consulting" is defined as the process or procedure in which an employee of MPS confers with and works for an educational or commercial agency other than the MPS for a fee or payment.

(b) *Employee.* "Employee" is defined as any individual employed by the MPS, including certified, classified, and non-classified staff, but excluding independent contractors and volunteers.

(c) *Immediate Family.* "Immediate family" represents employees who are related by blood or by marriage. "Related by blood" is defined as including father, mother, brother, sister, son, daughter, uncle, aunt, nephew, niece, grandchild, grandparent, or first cousin, and shall include legal guardianships as well as legal adoptions. "Related by marriage" is defined as including husband, wife, son-in-law, daughter-in-law, brother-in-law, wives of brothers-in-law, sister-in-law, husbands of sisters-in-law, father-in-law, mother-in-law, stepchild, and stepparent.

(d) *Gifts and Gratuities.* Gifts and gratuities are defined as any goods or services, excluding meals, for which a monetary value may be assessed.

(2) GIFTS AND GRATUITIES

(a) Acceptance of gratuities and gifts is discouraged. An employee of MPS may not accept any gift or gratuity in excess of \$25.00 annually from any person, persons, group, or firm that does business with, or is attempting to do business, with MPS.

(b) Existing Administrative Policies 6.06 and 8.40, pertaining to employee gift limitations of a specific character, remain in effect and are not abrogated by this code.

(3) CONSULTING

(a) Employees of MPS may provide compensated services to other institutions, provided that such activities do not involve MPS resources such as equipment, travel, or time, but not limited thereto. Employees may receive fees and expenses for their services, provided those services are rendered during the employee's own time.

(b) If an employee is authorized by a supervisor to render a service to another public or educational institution and remains on the school district payroll and receives an honorarium payment or gratuity, that sum should be turned over to the school district; otherwise, honoraria for speeches and public appearances may be accepted by the MPS employees, provided that the speech or appearance is performed during the employee's own time.

(c) If consulting work is entered into by an MPS employee for any person, group, or firm that does business with MPS, and if that MPS employee has a decision-making role or makes recommendations for purchase, the employee must remove himself/herself from any purchasing or decision-making process involving that firm.

(4) EMPLOYEE DISCLOSURE

(a) If consulting work is entered into by an MPS employee, or a member of the employee's immediate family, for any person, group, or firm that does business with the MPS, it is the responsibility of that employee to file a disclosure form with the district within 30 days.

(b) If a firm that does business with or is attempting to do business with the MPS refers an MPS employee or a member of the employee's immediate family to another firm or business as a consultant, the MPS employee must complete the disclosure form available from the Office of Board Governance within 30 days of accepting that employment. The employee must remove himself/herself from any purchasing or decision-making process involving either firm.

(5) IMMEDIATE FAMILY DISCLOSURE

(a) If any member of the immediate family of an employee of MPS is employed by or an agent of a vendor supplying or seeking to supply goods and services to MPS, and if the employee has authority to recommend or order the purchase of such goods or services, then the employee shall disclose this relationship on a form supplied by the Office of Board Governance. Failure to make such disclosure within a reasonable time after such relationship is created or becomes known may subject the employee to sanctions.

(b) It is the employee's obligation to obtain and file a disclosure form whenever any of the aforementioned consulting activities occur. To facilitate the reporting requirement and clarify the reporting procedure, the employee should read carefully and complete the disclosure form. The form should be procured from, and upon completion be submitted to, the Office of Board Governance.

(6) DECISION MAKING

(a) No employee may profit directly from the decision to purchase goods or services by MPS. Decisions to purchase such goods and services must be free of even the appearance of bias toward a company or vendor based on remuneration. For that reason, if any employee has authority to recommend or order the purchase of goods or services, then that employee shall disclose any involvement with any vendor seeking to supply such goods and services. This includes any consulting work performed or any honoraria received either personally or by any member of the employee's immediate family.

(b) An employee who has, either personally or through an immediate family member, received compensation from a vendor seeking to supply goods or services to the MPS shall not make purchasing decisions to obtain goods or services from that vendor for a period of 18 months from the date of the last compensation or honorarium received.

(c) An employee recommending purchase or serving on a committee to review goods or services being offered to MPS must ensure that all necessary disclosures have been made and are known to the entire committee relative to that employee's or any immediate family member's involvement (consulting or employment with vendors under consideration by the committee. Such employee must refrain from any vote involving the company or companies from which compensation has been received within the previous 18 months.

(7) POLITICAL PARTICIPATION

Employees of the MPS are encouraged to participate in the political process. Employees can be members of, or officers in, a political party. They may contribute to political candidates, either with financial resources or in donation of services, provided donations do not utilize MPS's equipment, time, or work product. MPS employees may allow their names to be used on lists of supporters for candidates for public office, but such use of employees' names must not imply MPS's endorsement.

(8) VENDOR

(a) Vendors are to be treated by employees in a businesslike manner without favoritism. Employees are not to accept gifts, favors, or other items of value from a vendor, subject to the exception noted under the paragraph (2), "Gifts and Gratuities," of this policy. Employees are not to request of vendors special discounts, favors, or donations for private use.

(b) Vendors' presentations of products or services to employees should be done at MPS sites. All vendors should be accorded an equal opportunity to make such presentations. If it is necessary to visit the vendor's site to view products, the employee engaged in such travel shall obtain authorization and funding from the Board or the Board's designee. Without such authorization, the employee shall assume any travel or related expenses. Vendors are not allowed to pay travel or related expenses.

(c) Employees may not sell or promote the sale of goods and/or services in which the employee or his/her immediate family would benefit monetarily to MPS. Educational products with a value of less than \$25.00, produced or developed by an employee, may be made available to other employees or schools in the district if sold for not more than the cost of production.

(9) NEPOTISM**(a) General**

No administrator of MPS shall employ under his or her direct supervision or contract with any person who is related by blood (whether of whole or half-blood) or who is related by marriage to that administrator of MPS, or use his/her status as an administrator of MPS to influence the employment, appointment, evaluation, transfer, or promotion of any such person to a position of employment within MPS which is subordinate to that administrator.

(b) Definitions

1. *Administrator.* For the purposes of this nepotism section, "administrator" of MPS is defined as any person who is a principal, an assistant principal, a program administrator, a supervisor, a coordinator, a staffing specialist, a director, an assistant director, a manager, a division/department head, a Deputy Superintendent, the superintendent, the chief auditor, or Director of the Office of Board Governance.

2. *Related by Blood.* For the purposes of this nepotism section, "related by blood" is defined as including father, mother, brother, sister, son, daughter, uncle, aunt, nephew, niece, grandchild, grandparent, or first cousin and shall include legal guardianships as well as legal adoptions.

3. *Related by Marriage.* For the purposes of this nepotism section, "related by marriage" is defined as including husband, wife, son-in-law, daughter-in-law, brother-in-law, wives of brothers-in-law, sister-in-law, husbands of sisters-in-law, father-in-law, mother-in-law, step-child and step-parent.

(c) Falsification of Employment Application

1. It shall be deemed a falsification of an employment application for an applicant for employment with MPS to fail to disclose that the applicant is related by blood or related by marriage to any Board member or administrator of MPS as defined in this section. In the event of such falsification, the Department of Human Resources reserves the right to reject the application for employment.

2. Upon approval by the Board, any administrator of MPS who is found to have violated this nepotism section shall be subject to appropriate disciplinary action consistent with Board policies, state statutes, and applicable contracts.

3. This nepotism section shall be applied consistent with all applicable state laws, federal laws, city ordinances, city service provisions, and other Board policies regarding non-discrimination in employment and employee rules of conduct.

(10) SANCTIONS

(a) Persons in violation of the provisions of this code of ethics are subject to disciplinary procedures, up to and including discharge under either this policy or employee contract provisions.

(b) Employees of the MPS are to be alert to the provisions in the Wisconsin Statutes governing conduct as a public employee, especially in sections 946.12, 946.13, 118.12 and 119.66.

(c) These policies do not supersede agreements which are outlined in collective bargaining agreements. Contracts for the superintendent and the director of the Office of Board Governance shall comply with the employee code of ethics.

History: Adopted 12-18-91; updated 1994; reaffirmed 4-20-95; revised 1-29-97, 5-26-99

Previous Coding: Admin. Policy BFF, prior to May 1995; Admin. Policy 2.04, May 1995-August 1996

Cross Ref.:

Board Rule	1.19	Conflicts of Interest
Admin. Policy	6.05	Code of Ethics: Employee Notification
Admin. Proc.	6.05	Code of Ethics: Employee Notification

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