

RULES OF THE MILWAUKEE BOARD OF SCHOOL DIRECTORS

BOARD RULE 3.01

CODE OF ETHICS — BOARD OF SCHOOL DIRECTORS

Board members recognize that they are public officials who are accountable to the residents of the City of Milwaukee. As such, board members will maintain the highest standards of ethical conduct, avoiding both the actuality and the appearance of a conflict of interest. This Code of Ethics is intended to support board members in the achievement of such standards.

(1) GENERAL STATEMENT OF BOARD ETHICS

(a) The Board operates under the laws and constitutions of the State of Wisconsin and of the United States of America. Board members recognize that they represent the people within the jurisdiction of MPS for the primary purpose of educating students of the District and carrying on such ancillary functions mandated by state law, or made discretionary under the law, but authorized by the Board. Board members shall take no private action that will compromise the District, the Board, or the Administration.

(b) Board members shall further recognize that they have fiduciary responsibilities to the District. A board member shall not engage in conduct that would be likely to injure the good name of the Board or District; to hamper or interfere with the Board's work; or to expose the District to legal liability. Board members should strive to exercise their best judgment regarding the interests of the District.

(c) Board members will act cooperatively, bearing in mind the best interests of the people in the jurisdiction of MPS and of the students whom the Board serves. This ethical stance, however, should not inhibit or discourage differences of opinion among board members as they deliberate how to best serve the interests of the people or to achieve the goals to be reached; nor is this stance to be considered an inhibition of board members' attempts to improve and change state or federal laws, District policies or Board Rules, or methods employed in the educational process.

(d) Individual board members are free to express their personal opinions to other legislative bodies, but in doing so should clearly delineate when they speak for themselves and when they represent the Board.

(2) RELATIONSHIP OF THE BOARD TO ITS EXECUTIVE OFFICERS

(a) The Board recognizes that its primary function is to determine the district policies and processes by which the educational process is accomplished; to review those policies and processes from time to time; and to investigate their effectiveness, as needed. Policy determination includes, among other things, hiring personnel to administer and to operate the District and the delegation of authority to proper personnel to ensure that others follow the District's policies.

(b) Board members should adhere to the "division-of-labor" principle implicit in the organization of public education that assigns legislative, policy making, and judicial functions to the Board and that delegates administrative responsibilities and the detailed, technical duties of management to its executive officers. A board member shall not interfere with the administration or implementation of district policies by its chief executive officers, who are the Superintendent, the Board Clerk/Director, Office of Board Governance, the management of the Office of Accountability and Efficiency, or their designees.

(c) Board members should respect the Board's commitment to work through its chief executive officers by requesting desired information about the schools directly from them; referring suggestions for new district policies to them for their professional advice; giving such officers an opportunity to fully investigate and respond to concerns; refraining from making recommendations with respect to

appointment and promotions of employees; and wholeheartedly supporting approved actions of the chief executive officers.

(d) Board members are free to contact any MPS employee for information that will assist in carrying out a board member's responsibilities. Additionally, any MPS employee may contact a board member to offer information which the employee reasonably believes would aid the board member in his/her responsibilities. In all such contact, the board member shall be cognizant of the need to not interfere with the employee's job responsibilities or the chain of command. This Rule shall not be taken as permission for employees to harass Board members.

(e) The Board will seek to keep itself informed of the functioning of the school system through information received from its chief executive officers. The Board, however, may, under special circumstances, require other junior administrators to report to the Board on specific matters.

(f) Board members shall maintain the confidentiality of information that is protected from disclosure by law, including information disclosed in executive sessions that are held pursuant to the Wisconsin Open Meetings Law.

(g) The Board will also welcome public comments to learn the effect of its rules and district policies in practice. Inquiries or concerns addressed to individual board members should be shared as appropriate with the Superintendent; the Board Clerk/Director, Office of Board Governance or the management of the Office of Accountability and Efficiency.

(3) PROFESSIONAL DEVELOPMENT

Board members will continue to keep themselves informed about developments in educational theory, policy, practice, and legislative developments. They will be alert to the nature and character of educational issues, especially within the Board's jurisdiction and in the State of Wisconsin. Board members, therefore, as a district policy, will support in-service educational opportunities for staff and participate in the work of school board associations and educational associations.

(4) MEETING ATTENDANCE

Board members recognize their responsibilities to attend regular Board and committee meetings in order to function effectively.

(5) GIFTS AND GRATUITIES

Gifts and gratuities shall be defined as any goods or services for which a monetary value may be assessed. No board member shall accept any gift or gratuity from any person, group, or firm that does business with, or is currently attempting to do business with, the District.

(6) CONSULTING AND HONORARIA

Board members meet with people, clubs, conventions, special interest groups, and school and parent groups as a regular part of their duties. As such, board members may not receive any payment or honorarium in exchange for meeting with individuals or organizations or for participating in events sponsored by them. Board members may, however, accept lodging, transportation, and refreshments. Board members receiving such items in the course of performing their duties must file a disclosure statement within 30 days, listing the circumstances under which the items were received and the approximate value thereof if the value exceeds \$25.

(7) CONFLICTS OF INTEREST

(a) Board members shall refrain from any private business or professional activity that would create conflict between their personal interests and the interests of MPS.

(b) Board members shall discharge their duties without favor and shall refrain from engaging in any outside matters of financial or personal interest that are incompatible with the impartial and objective performance of their duties.

(c) A board member may not take any official action pertaining to a matter in which the board member or a member of his/her family has a substantial financial interest.

(d) Board members shall not, directly or indirectly, seek or accept personal gain that would influence, or appear to influence, the conduct of their official duties.

(e) During his/her elected term, and for two years thereafter, no board member may be employed by the Board or by the Wisconsin Department of Employee Trust Funds (ETF) in any capacity for which a salary is paid by the Board or ETF. No board member may have any interest in the purchase or sale of property by the City for the use or convenience of the schools. Pursuant to section 119.66 of the Wisconsin Statutes, any violations within this subsection shall result in a board member's removal from office.

(f) If any Board member, or any member of his/her immediate family, is employed by, or is an agent of, a vendor who supplies or seeks to supply goods and services to MPS, the board member shall disclose this relationship on a form supplied by the Office of Board Governance.

(8) NEPOTISM

(a) No board member shall vote to employ or contract with any person who is related to him/her by blood (whole or half-blood) or who is related by marriage to that board member, or use his/her status as a board member to influence the employment, appointment, evaluation, transfer, or promotion of any such relative to a position of employment with MPS.

(b) A person "related by blood" shall be defined as 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.

(c) A person "related by marriage" shall be defined as 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.

(9) SANCTIONS

Board members are alerted to additional provisions in the Wisconsin Statutes governing conduct in office, which include:

- (a) Sections 946.12 and 946.13, which list activities of misconduct in public office and prohibit private interests in public contracts, respectively. An individual found in violation of either section is guilty of a Class I felony; and
- (b) Section 118.12(2), which prohibits receiving, selling, promoting, or soliciting the sale of any goods or services while on district property or at a district activity. An individual found in violation of this section is subject to a forfeiture of \$200.00 for each offense.

History: Adopted 12-18-91; Updated 4-20-95; Revised 2-26-97, 11-19-15
Legal Ref: W.S. 19.45; 19.46(1)(a); 19, V; 118.12; 119.66; 946.12; 946.13
Cross Ref: Board Rule 1.29 Code of Conduct – Board of School Directors

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