

Document Status: Draft Update

General Personnel

5:120 Employee Ethics; Conduct; and Conflict of Interest

Professional and Appropriate Conduct

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), [PRESSPlus1](#) or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

Statement of Economic Interests

The following employees must file a *Statement of Economic Interests* as required by the Illinois Governmental Ethics Act:

1. Superintendent;
2. Building Principal;
3. Head of any department;
4. Any employee who, as the District's agent, is responsible for negotiating one or more contracts including collective bargaining agreement(s), in the amount of \$1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Ethics and Gift Ban

Board of Education policy 2:105, *Ethics and Gift Ban*, applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with [Section 22-5](#) of the School Code, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with the Illinois State Board of Education and adopted for use by the Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest. [PRESSPlus2](#) A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in the entity selected for the contract:

1. Any person that has a close personal relationship with an employee that may compromise or impair the employee's fairness and impartiality, including a member of the employee's immediate family or household;
2. An employee's business partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above. ~~as defined by 2 C.F.R. §200.318(c)(1).~~

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.

Code of Conduct

An effective educational program requires the services of administrators with integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Education expects all administrators to maintain high standards in their working relationships, and in the performance of their professional duties, to:

- A. Recognize basic dignities of all individuals with whom they interact in the performance of duties;
- B. Represent accurately their qualifications;
- C. Exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. Seek and apply the knowledge and skills appropriate to assigned responsibilities;
- E. Maintain security associated with confidential information in their possession;
- F. Ensure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;

- G. Avoid accepting anything of value offered by another for the purpose of influencing judgement;
- H. Refrain from using his/her position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes;
- I. Observe Federal and State laws, rules, and regulations which govern education;
- J. Observe the District's policies, procedures, rules, and regulations as adopted by the Board;
- K. Support and assist the Board in its tasks of policy making, educational planning, and goal evaluation;
- L. Provide the Board with necessary and helpful facts, free from personal bias, which will facilitate the Board's role as decision maker;
- M. Evaluate the District's goal achievement in a realistic and professional manner;
- N. Manage the District to assure freedom from pressure groups;
- O. Develop a communication system which facilitates understanding between the Board, staff, and the community;
- P. Welcome and encourage community participation in District activities;
- Q. Recognize that personal values, strengths, and goals must provide the motivation for effective School District management;
- R. Provide a leadership role model;
- S. Strive to provide the best educational opportunities for all students.

Outside Employment

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

Incorporated

by reference: 5:120-E (Code of Ethics for Illinois Educators)

LEGAL REF.:

[U.S. Constitution, First Amendment.](#)

[2 C.F.R. §200.318\(c\)\(1\).](#)

5 ILCS 420/4A-101, Ill. Governmental Ethics Act and ~~430/~~.

5 ILCS 430/, State Officials and Employee Ethics Act.

30 ILCS 708/, Grant Accountability and Transparency Act.

50 ILCS 135/, Local Governmental Employees Political Rights Act.

105 ILCS 5/10-22.39 and 5/22-5.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

775 ILCS 5/5A-102, Ill. Human Rights Act.

23 Ill.Admin.Code Part 22, Code of Ethics for Illinois Educators.

Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).

Garcetti v. Ceballos, 547 U.S. 410 (2006).

CROSS REF.: 2:105 (Ethics and Gift Ban), 4:60 (Purchases and Contracts), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct)

PRESSPlus Comments

PRESSPlus 1. 325 ILCS 5/4(a)(4), amended by P.A. 101-564, eff. 1-1-20; 105 ILCS 5/10-23.12(c) (all district employees), added by P.A. 101-531; 105 ILCS 5/21B-75(b) (teachers), amended by P.A. 101-531. **Issue 102, October 2019**

PRESSPlus 2. 2 C.F.R. §200.318(c)(1) prohibits employees, officers, or agents of a school district from participating in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent *conflict of interest*. The uniform federal rules on procurement standards in 2 C.F.R. Part 200 also apply to eligible State grants through the Grant Accountability and Transparency Act (GATA)(30 ILCS 708/.) Authoritative sources and guidance regarding conflict of interest and financial disclosure are provided through the GATA Resource Library at www.grants.illinois.gov. See also the Ill. State Board of Education's *Procurement and Purchasing Checklist* (ISBE Checklist) at: www.isbe.net/Pages/Audit-and-Monitoring-Review-Requirements-and-Tools.aspx. **Issue 102, October 2019**