

# Principal's Survival Guide to Ethics

## Why we have a Code of Ethics

According to the Illinois Governmental Ethics Act (5 ILCS 420), the Board of Education was required to adopt and enforce an organization-wide Code of Ethics in order to preserve the public trust of residents and taxpayers.

## Who is covered by the Code

- Officials—Board Members and Local School Council Members
- Employees
- Contractors

## Contact Information for Ethics *Inquiries or Complaints*

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## Consequences for Code violations

- Officials may be subject to disqualification or removal from office
- Employees may be subject to discipline, including suspension or dismissal
- Contractors may be subject to debarment under the Board's Debarment Policy

## Full text version of the Code of Ethics

The current CPS Code of Ethics was adopted by the Chicago Board of Education on May 25, 2011. A copy of the Code of Ethics can be found at <http://policy.cps.k12.il.us/download.aspx?ID=32>.

# Nepotism

## Section VI

### The CPS Code of Ethics PROHIBITS all employees from:

- Hiring or appointing a Relative
- Attempting to influence the hiring of a Relative
- Accepting an appointment as a Principal of a school where a Relative is a member of that school's Local School Council
- Supervising a Relative
  - EXCEPTION: If a Board Official or Employee becomes a Relative of an individual over whom he or she already had supervisory authority, there is no violation of the Code as long as the Supervisory Relationship is terminated as soon as possible
    - In all school-based cases, the Supervisory Relationship **MUST** be terminated by the end of the school year at the latest

### Definitions

- A **Relative** is any individual who is a Spouse, Domestic Partner, Partner to a Civil Union, Child, Step-Child, Parent, Step-Parent, Half-Sibling, Parent-in-Law, Brother-in-Law, Sister-in-Law, Son-in-Law, Daughter-in-Law, Aunt, Great-Aunt, Uncle, Great-Uncle, Niece, Nephew, or First Cousin, and includes any similar relationship created by blood, legal adoption, in loco parentis status, marriage, Domestic Partnership, Partnership to a Civil Union, or Parenting Relationship
- A **SUPERVISORY RELATIONSHIP** is any relationship where an Employee exercises the functions of a Supervisor
  - The **Principal** AND the **Assistant Principal(s)** at each school are presumed to have a Supervisory Relationship with **ALL** school staff

### Frequently Asked Questions:

**Q** As an Assistant Principal, can I work at the same school as my first cousin?

**A** **No.** This is a Code **VIOLATION**. All Principals *and* APs are Supervisors of all staff at the schools where they work and cannot supervise any relative in the building.

**Q** I am a Principal, and my daughter just married a teacher at my school. Does one of us have to resign now?

**A** **No.** However, in order to **AVOID A VIOLATION**, all such Supervisory Relationships (e.g. between you and your new son-in-law) must be terminated by the end of the school year.

**Q** The mother of one of my teachers is the community representative on the school's LSC. Are there any restrictions on her ability to vote?

**A** **Yes.** She is not allowed to vote on the entire school budget, the entire school improvement plan, and any transfer of funds involving her daughter's position.

# Gifts, Loans, and Favors

## Section XII

### The CPS Code of Ethics PROHIBITS all employees from:

- Accepting GIFTS OF ANY AMOUNT that are EXPLICITLY or IMPLICITLY meant to influence official actions
  - The Code presumes gifts are meant to influence official actions when given to individuals with substantial ability to INFLUENCE BOARD DECISIONS
  - The Code presumes the following gifts are NOT meant to influence official actions:
    - SINGLE GIFTS of \$50.00 or less
    - MULTIPLE GIFTS from one source within one calendar year with a cumulative value of \$100.00 or less

### The CPS Code of Ethics PROHIBITS all employees from:

- Giving a single gift to a Supervisor exceeding \$50 in value or multiple gifts exceeding \$100 in value total within a calendar year
- Accepting anything of value in return for *advice* or *assistance* on matters concerning the operation of business of the Board
- Accepting anything of value from a *contractor* or *subcontractor* seeking to Do Business with the Board

### Acceptance of Gifts

- Gifts may be accepted on the Board's behalf, provided that the gifts are used for Board purposes and REPORTED to the Chief Financial Officer (CFO) within 10 business days.
- Officials and Employees may receive gifts, money, or honoraria for speaking engagements, lectures, debates, or organized discussion forums, provided that the compensation is REPORTED to the CFO within 10 business days.
- Single gifts under \$50 or multiple gifts of \$100 cumulatively from one source in a calendar year may be accepted *without reporting*. If any gift makes you feel uncomfortable, you may return it to the sender or contact the Ethics Advisor.

### Frequently Asked Questions:

**Q** I am a Principal, and one of my teachers sent me a gift basket for the holidays that has a value of over \$50. May I accept it?

**A** **No.** This is a Code **VIOLATION**. Single gifts to supervisors valued over \$50 are prohibited by the Code.

**Q** I am a Principal, and I received a \$100 gift card as a distinguished mentor's prize for helping a student win a scholarship. Can I put it to my personal use?

**A** **No.** Accepting the gift for personal use is a Code **VIOLATION**. It can be returned or donated to the Board. A report should be filed with the CFO within ten business days.

**Q** Can I accept a plaque of nominal value from a Board vendor recognizing me for service to my school?

**A** **Yes.** Accepting a gift of nominal value is **NOT A VIOLATION** of the Code, even if the gift is from a Board vendor.

# Economic Interests and Conflicts of Interest

## Sections VIII and XI

### ECONOMIC INTERESTS

The CPS Code of Ethics **PROHIBITS** all employees from:

- Having an **Economic Interest** in CONTRACTS with the Board
- Having an **Economic Interest** in WORK or BUSINESS of the Board
- Having an **Economic Interest** in SALES to the Board

An **ECONOMIC INTEREST** exists where a Board employee, or his or her Spouse, Domestic Partner, Partner to a Civil Union, Relative, or a Member of his or her Household, enters a contract with the Board as:

- The proprietor of a sole proprietorship
- Owner of a five percent or greater interest in any class of stock of a Corporation or Legal Entity organized for profit
- An officer or director of a For-Profit Corporation, general or managing partner of a partnership, or the trustee of a trust
- Owner of any interest as a result of which the owner currently receives or is entitled to receive in the future more than \$2,500 per year OR
- Owner of any interest with a cost or present value of \$5,000 or more

### CONFLICTS OF INTEREST

The CPS Code of Ethics **PROHIBITS** all employees from:

- Recommending, retaining, or hiring as an employee or Board vendor, any person or entity with whom the employee has a **Business Relationship**
  - A **BUSINESS RELATIONSHIP** is any contract or agreement between an employee and another entity that entitles the employee to compensation of \$2,500 or more per year
- Sitting on the board of a Charter or a Contract School operator holding a charter or contract agreement with the Board

Serving on not-for-profit boards without compensation is **PERMITTED**, provided that **EACH** of the following is met:

- The Employee obtains approval from the Ethics Advisor for participation if the employee knows or has reason to know that the not-for-profit is doing business or seeking to do business with the Board AND
- The Employee recuses himself or herself from discussion and abstains from voting on any proposal related to the not-for-profit doing business or seeking to do business with the Board

### Frequently Asked Questions:

**Q** Can I simultaneously be an employee and a vendor of the Board?

**A** **No.** This is a **VIOLATION** of the Code. Being a Board vendor is an inherent conflict of interest. An employee may not have an economic interest in any contracts, work, or business of the Board.

**Q** As an Assistant Principal, may I sit on the board of a not-for-profit corporation?

**A** **Yes.** With the approval of the Ethics advisor, this is **NOT A VIOLATION** of the Code. You must recuse and abstain from discussion and voting on any matters related to business with the Board. However, sitting on the board of a CHARTER school or CONTRACT school is an inherent conflict of interest.

**Q** As a Principal, may I suggest that the LSC hire a company with whom I have a business relationship?

**A** **No.** This is a **VIOLATION** of the Code. ALL employees are prohibited from recommending the hiring of any entity with which they have a business relationship.

# Secondary Employment

## Section XIII

The Code **PROHIBITS** all employees from:

- Engaging in **Secondary Employment** that is in conflict with the duties or demands of their Board Employment

**SECONDARY EMPLOYMENT** includes any non-Board employment or activity for which an employee receives any type of remuneration

### Secondary Employment Forms

- A **SECONDARY EMPLOYMENT APPROVAL** must be filed by any employee who receives remuneration for any non-Board employment or activity
  - The employee must complete the form, secure his or her supervisor's approval by signature, and then submit the signed and completed form to the ETHICS ADVISOR before commencing secondary employment
  - A secondary employment approval must be filed by:
    - All employees who work 52 weeks per year for all secondary employment
    - All employees who work less than 52 weeks per year for all secondary employment during the school year
- A **SECONDARY EMPLOYMENT INTERSESSION NOTIFICATION** must be filed by any school-based employee who works **LESS THAN 52 WEEKS** per year and engages in non-Board employment during intersession
  - Secondary employment during intersession **DOES NOT** require supervisory approval, but it does need to be reported to the Ethics Advisor

### Frequently Asked Questions:

**Q** May I have a part-time job during the school year if it does not conflict with school hours?

**A** **Yes.** This is **NOT A VIOLATION** of the Code *as long as* your secondary job is not in conflict with the duties of your Board employment AND you have submitted a secondary employment approval.

**Q** I am a teacher. Can I make copies on my school's machine for a book I am writing under contract for a publisher if I make the copies after school hours?

**A** **No.** This is a **VIOLATION** of the Code. CPS resources may not be used for any non-Board related activity.

**Q** I am a Principal, and a security guard at my school has asked me to leave early each day to start his second job. May I deny this request?

**A** **Yes.** This secondary employment is a **VIOLATION**, because it is in conflict with the duties and demands of his Board employment.

# Political Activities

## Section XVIII

### The CPS Code of Ethics PROHIBITS all employees from:

- Engaging in political activity during Board compensated time, UNLESS it is a part of an Employee's official employment duties
- Requiring an employee to engage in political activity
- Using one's official Board position to engage in political activity or endorse a candidate for elected office
- Using Board resources for political activity

### An official or employee conducts POLITICAL ACTIVITY by engaging in any of the following on behalf of any political organization, candidate, or referendum:

- Preparing for, organizing, or participating in any political meeting, demonstration, rally, or other event
- Planning the solicitation of and/or soliciting contributions or votes including selling or distributing tickets for any political fundraiser, meeting or other event
- Planning, conducting, or participating in a public opinion poll or survey in connection with a campaign for elective office
- Assisting at the polls on Election Day
- Initiating, preparing, circulating, reviewing or filing any petition
- Making contributions to any candidate for elective office
- Preparing or reviewing responses to candidate questionnaires
- Distributing campaign literature, signs or other material
- Campaigning for elective office or for or against any referendum question
- Managing or working on a campaign
- Serving as a delegate, alternate, or proxy to a political party convention

### Frequently Asked Questions:

**Q** I am a Principal, and a candidate asked to use the school building after hours for a campaign event. Can I allow it?

**A** **YES.** This is **NOT A VIOLATION.** Candidates may use school facilities outside of school hours if they secure a School Use Permit, pay expenses related to building use, and satisfy any Board requirements, including adequate insurance. However, if you allow access to one candidate, you must allow access to all candidates.

**Q** As a Principal, can I use my Board email to inform my staff about a candidate's positions and ask them to vote in his favor?

**A** **No.** This is a Code **VIOLATION.** CPS employees are not allowed to use any Board resources on behalf of any political organization, candidate, or referendum.

**Q** Can I occasionally make campaign calls while I am at work?

**A** **No.** This is a Code **VIOLATION.** CPS employees are not allowed to engage in political activity during Board time.

# Post Employment & Post LSC Membership

## Section XV

For a period of **ONE YEAR** following the termination of a Board Official or Employee's term of office or employment, the CPS Code of Ethics **PROHIBITS**:

- Assisting or Representing any person or entity in a business transaction with the Board if, during his or her term of office or employment, the former official or employee participated personally and substantially in the subject matter of the transaction
  - A former official or employee is prohibited under this section from assisting or representing:
    - Any individual other than himself or herself
    - Any corporation, partnership, association, sole proprietorship or other entity other than a publically traded corporation
- For all officials or employees who exercised Contract Management Authority with respect to a contract, this prohibition shall remain permanent as to that contract

### Local School Council Membership

- No Local School Council (LSC) member other than a Principal, teacher, and non-teaching staff member, is eligible for employment at the school at which he or she served for a period of one year after the termination of his or her membership.
- No former LSC member may have an Economic Interest in a contract involving the school at which he or she served for a period of one year after the termination of his or her membership.

### Frequently Asked Questions:

**Q** I resigned my position as a parent representative on an LSC six months ago and now I want to apply to be a parent worker at that same school. Can I do so?

**A** **No**. This is a Code **VIOLATION**. You must wait one year following the termination of your LSC service before you are eligible for any employment at the school.

**Q** I am a recently retired science teacher and want to start my own not-for-profit to enhance student literacy. Can I immediately bid on a CPS contract?

**A** **Yes**. This is **NOT A VIOLATION** of the Code because you were not personally and substantially involved with student literacy while employed by the Board.

**Q** I am a retired Chief of Schools and have been offered a position with a vendor to help implement a contract over which I had contract management authority at CPS. Can I accept the position?

**A** **No**. This is a **VIOLATION** of the Code. You are permanently barred from working for another entity on this contract.