

## **GENERAL PERSONNEL**

### **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 and is attached as an exhibit to 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/), engages in *grooming* as defined in 720 ILCS 5/11-25, engages in grooming behaviors, violates boundaries for appropriate school employee-student conduct, or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

The Superintendent or designee shall identify appropriate employee conduct standards and provide them to all District employees. Standards related to school employee-student conduct shall, at a minimum:

1. Incorporate the prohibitions noted in paragraph 1 of this policy;
2. Define prohibited grooming behaviors to include, at a minimum, *sexual misconduct*. *Sexual misconduct* is (i) any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, (ii) by an employee with direct contact with a student, (iii) that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:
  - a. A sexual or romantic invitation
  - b. Dating or soliciting a date
  - c. Engaging in sexualized or romantic dialog
  - d. Making sexually suggestive comments that are directed toward or with a student
  - e. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature
  - f. A sexual, indecent, romantic, or erotic contact with the student
3. Identify expectations for employees to maintain professional relationships with students, including expectations for employee-student boundaries based upon students' ages, grade levels, and developmental levels. Such expectations shall establish guidelines for specific areas, including but not limited to:
  - a. Transporting a student
  - b. Taking or possessing a photo or video of a student
  - c. Meeting with a student or contacting a student outside the employee's professional role
4. Reference employee reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*), and the Elementary and Secondary Education Act (20 U.S.C. § 7926);

5. Outline how employees can report prohibited behaviors and/or boundary violations pursuant to Board policies 2.260, *Uniform Grievance Procedure*; 2.265, *Title IX Sexual Harassment Grievance Procedure*; and 5.90, *Abused and Neglected Child Reporting*; and
6. Reference required employee training related to educator ethics, child abuse, grooming behaviors, and boundary violations as required by law and policies 2.265, *Title IX Sexual Harassment Grievance Procedure*; 4.165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5.90, *Abused and Neglected Child Reporting*; and 5.100, *Staff Development Program*.

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 responsible for negotiating contracts, including collective bargaining agreement, 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

School Board 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 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. District employees, officers, or agents are prohibited 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.

Guidance Counselor Gift Ban

Guidance counselors are prohibited from intentionally soliciting or accepting any gift from a *prohibited source* or any gift that would be in violation of any federal or State statute or rule. For guidance counselors, a *prohibited source* is any person who is (1) employed by an institution of higher education, or (2) an agent or spouse of or an immediate family member living with a person employed by an institution of higher education. This prohibition does not apply to:

1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the guidance counselor pays market value.
3. A gift from a relative.
4. Anything provided by an individual on the basis of a personal friendship, unless the guidance counselor believes that it was provided due to the official position or employment of the guidance counselor and not due to the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the guidance counselor must consider the circumstances in which the gift was offered, including any of the following:
  - a. The history of the relationship between the individual giving the gift and the guidance counselor, including any previous exchange of gifts between those individuals.
  - b. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.
  - c. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.
5. Bequests, inheritances, or other transfers at death.
6. Any item(s) during any calendar year having a cumulative total value of less than \$100.
7. Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.

A guidance counselor does not violate this prohibition if he or she promptly returns the gift to the prohibited source or donates the gift or an amount equal to its value to a tax exempt charity.

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.

Full-time district administrators who are, or seek to engage in outside employment during their 10 month, 11 month, or 12 month assignments must submit a written request to the Superintendent setting forth:

1. The name and location of the employing entity;
2. The hours of work associated with the secondary employment; and
3. The compensation provided for such outside employment.

Written permission from the Superintendent is required before the full-time administrator may engage in outside employment during their 10 month, 11 month or 12 month assignments. For purposes of this policy, outside employment includes any service for which compensation may, or will be paid including, but not limited to, consulting services.

LEGAL REF.: U.S. Constitution, First Amendment.  
2 C.F.R. §200.318(c) (1)  
5 ILCS 420/4A-101 and 430/1 et. seq.  
5 ILCS 430/et seq.  
30 ILCS 708/1 et seq.  
50 ILCS 135/1 et. seq.  
105 ILCS 5/10-22.39, 5/10-23.13, 5/22-5, and 5/22-90 (final citation pending)  
775 ILCS5/5A-102  
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, 2.265, 4.60, 4.165, 5.90, 5.100, 5.125, 7.20

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