

**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.01  
GENERAL PERSONNEL POLICIES**

(1) The Board is committed to employing the most effective staff possible for all schools and departments. The Board endorses the development of specific factors and conditions that make schools and departments more effective, including strong site and central administrative leadership, shared decision-making, and a school climate that enhances teaching and learning.

(2) The Board adopts personnel policies, collective negotiations contracts, and salary schedules which govern all district certificated and classified employees. The superintendent shall follow such personnel procedures as are in accordance with the provisions of district regulations, Board policy, negotiated contracts, and legal requirements.

(3) Certain positions are excluded from membership in the bargaining units because they are classified as supervisory or confidential. The wages, hours, and conditions of employment shall be determined by the Board.

(4) All personnel policies, including those established through agreement with recognized bargaining units, shall be administered by the Department of Human Resources.

**History:** Codified 1976; revised 1982, 3-29-95

**Previous Coding:** Admin. Policy GB, prior to May 1995; Admin. Policy 7.01, May 1995-August 1996

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**ADMINISTRATIVE POLICIES OF THE  
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**ADMINISTRATIVE POLICY 6.02  
EQUAL EMPLOYMENT OPPORTUNITY**

(1) The Milwaukee Public Schools is committed to an equal employment opportunity and non-discriminatory workplace, in accordance with the law for all individuals, regardless of race, color, ancestry, religion, gender, sex, national origin, disability, age, creed, sexual orientation, marital status, veteran status, or any other statutorily protected class or protected activity. Milwaukee Public Schools recognizes that equal employment opportunity must remain one of our foremost goals if we are to ensure a diverse workforce representation of our community. Efforts shall be taken in recruitment and in all phases of employment to address under-representation.

(2) Milwaukee Public Schools has an enduring obligation to consider all qualified applicants from our diverse community. This includes, but is not limited to, all decisions made on recruiting, hiring, compensation, benefits, training, education, promotions, transfers, layoffs, discipline, termination, and other conditions of employment.

(3) The Superintendent shall report monthly to the Board the Affirmative Action Report for hiring and furnish affirmative-action data for resignations and retirements of the staff.

(4) This policy is in accordance with not only the full intent of the federal, state, and local laws, but their spirit as well. Milwaukee Public Schools recognizes that equal employment opportunity must remain one of our foremost goals if we are to ensure the strengthening and growth of our school district.

**History:** Adopted 3-2-76; revised 3-29-95, 4-25-06, 9-18-14

**Previous Coding:** Admin. Policy GBA, prior to May 1995; Admin. Policy 7.02, May 1995-August 1996

**Legal Ref.:** Civil Rights Act of 1964, as amended, Title VI, Title VII; Executive Order 11246, 1965, as amended by Executive Order 11375; Equal Employment Opportunity Act of 1972, Title VII; Education Amendments of 1972, Title IX (P.L. 92-318); 45 CFR, Parts 81, 86 (Federal Register June 5, 1975, August 11, 1975); W. S. 111.31-111.37 (WFEA); Laws of Wisconsin Relating to Public Schools, 118.195, 118.2,

**Cross Ref.:** Admin. Policy 1.04 Nondiscrimination  
Admin. Proc. 6.02 Equal Employment Opportunity Complaint Procedure

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.03

### ANTI-HARASSMENT / ANTI-BULLYING: STAFF

The District does not tolerate workplace harassment/workplace bullying in any form and will take necessary and appropriate action to eliminate it, up to and including discipline of offenders. Any violation shall be dealt with promptly.

#### **(1) HARASSMENT/BULLYING (SEXUAL)**

(a) It is the policy of the Milwaukee Public Schools to maintain and to ensure a learning and working environment free of any form of sexual harassment, unwelcome physical contact of a sexual nature, and other verbal or physical conduct of a sexual nature. Unwelcome verbal or physical conduct of a sexual nature includes, but is not limited to, the repeated making of unsolicited, inappropriate gestures or comments and the display of sexually graphic materials not necessary to the work of Milwaukee Public Schools. All supervisors who receive reports of sexual harassment and/or sexual assault complaints shall immediately report such complaints to their immediate supervisors and the Office of Human Capital.

(b) Sexual harassment exists when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Harassment on the basis of sex is a violation of federal regulations under Title VII, Section 703 for employees, and sections 111.31-111.36 of Wisconsin's Fair Employment Law.

(c) The Milwaukee Public Schools views sexual harassment and any associated retaliation to be among the most serious breaches of workplace conduct and does not tolerate sexual harassment in any form. The District will take all necessary and appropriate action to discipline offenders, up to and including termination.

#### **(2) HARASSMENT/BULLYING (NON-SEXUAL)**

(a) The District is committed to maintaining and ensuring a workplace that is free from all other types of workplace harassment. Harassment based on race or any other statutorily protected class or protected activity (e.g., religion, age, sex, sexual orientation, or complaint reporting) is unlawful. Harassment or bullying based on gender identity, expression, or nonconformity is specifically prohibited. Harassment or bullying for any reason is inappropriate and may be grounds for disciplinary action.

(b) The District is committed to taking appropriate action to sustain a work environment free from any and all types of bullying. Bullying is deliberate or intentional behavior using words or actions intended to cause fear, humiliation, intimidation, harm, or social exclusion. Bullying often involves repeated behavior and an imbalance of power.

(c) Bullying behavior is prohibited in all schools, school district buildings, educational environments, and on District property, including any property or vehicle owned, leased or used by the District. Bullying is also prohibited when perpetrated through electronic means of communication (e.g., by telephone or computer), as is bullying in a non-workplace setting through off-duty speech or behavior (e.g., personal phone calls) that results in substantial disruption of the workplace.

(d) All employees should report complaints of bullying to their immediate supervisors and/or to the Office of Human Capital.

**History:** Adopted 9-28-82; revised 10-30-85, 3-29-95, 4-25-06, 9-18-14, 8-27-15  
**Previous Coding:** Admin. Policy GBAA, prior to May 1995; Admin. Policy 7.03, May 1995-August 1996  
**Legal Ref.:** Federal regulations -Title IX, Sec. 106.31(b), students; Title VII, employees W.S. 111.31-111.37, 118.20, 118.46  
**Cross Ref.:** Admin. Policy 8.02 Student Sexual Harassment  
8.52 Bullying  
Admin. Proc. 6.03 Anti-Harassment/Anti-Bullying: Staff  
8.02 Student Sexual Harassment

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# 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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**ADMINISTRATIVE POLICIES OF THE  
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**ADMINISTRATIVE POLICY 6.05**  
**CODE OF ETHICS**

**(1) GENERAL**

An employee shall not engage in any employment activity or enterprise for compensation outside of his/her district employment if it is inconsistent or in conflict with his/her duties with the school district. The superintendent or his/her designee shall implement procedures for administration of this policy.

**(2) LABOR RELATIONS CONSIDERATIONS**

Prior to implementation of the code of ethics, the district shall meet all of its obligations and responsibilities under section 111.70 of the Wisconsin Statutes and the provisions of the district's collective bargaining agreements.

**History:** Adopted 12-17-90; reaffirmed 3-29-95

**Previous Coding:** Admin. Policy GBC, prior to May 1995; Admin. Policy 7.05, May 1995-August 1996

**Cross Ref.:** Board Rule 1.19 Conflicts of Interest  
Admin. Policy 6.04 Employees: Code of Ethics  
Admin. Proc. 6.05 Code of Ethics: Employee Notification

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.06 GIFTS AND SOLICITATIONS: STAFF

### (1) GIFTS

No employee of the Board shall accept money as a gift from any student. Gifts of appreciation given by a class to an employee shall not exceed \$50.00 in value.

### (2) SOLICITATIONS

No organization may solicit funds of staff members within the schools or departments, nor may anyone distribute flyers or other materials related to fund drives through the schools or departments, without the approval of the Board. Nor shall employees be made responsible, or assume responsibility for, the collection of any money or distribution of any fund drive literature within the schools or departments without such activity having the Board's approval.

**History:** Codified 1976. Revised 3-29-95; 01-30-25.

**Previous Coding:** Admin. Policy GBI, prior to May 1995; Admin. Policy 7.10, May 1995-August 1996

**Cross Ref.:** Admin. Policy 8.40 Student Gifts and Solicitations  
9.07 Public Solicitations in the Schools

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.07  
EMPLOYEE RULES OF CONDUCT**

**(1) GENERAL**

(a) In order to attain its educational and organizational goals in an efficient and effective manner, the Board believes it is a sound human resources management practice to fully apprise employees of the conduct that is expected of them. It is the intent of this policy to set district rules governing all employees and to publish such rules; therefore the Board finds it necessary to promulgate rules of conduct for its employees, outlining prohibited conduct.

(b) Any employee who violates any district policy, procedure, rule, or regulation, whether written or unwritten, shall be subject to disciplinary action, which may, but need not, include oral warnings, written warnings, suspensions without pay, demotion, or any other discipline, up to and including termination. The nature of the discipline shall depend on the nature of the violation, the surrounding circumstances, and any other relevant factors.

**(2) PROHIBITED CONDUCT**

The following list of prohibited conduct does not, and is not intended to, constitute the entire list of conduct for which discipline may be imposed:

- (a) Insubordination, including disobedience, failure, or refusal to carry out directions, assignments, or instructions
- (b) Falsification, unauthorized modification, or alteration of any district documents or records, including applications for employment, whether by omission or commission
- (c) Damage, unauthorized use, possession, or removal of Board property or another person's private property
- (d) Possession, use, or sale of any illegal drugs, drug paraphernalia, intoxicants, narcotics, or any other controlled substance on or off Board premises
- (e) Possession, sale, or use of alcoholic beverages during assigned work hours or while on Board premises
- (f) Reporting to work impaired by illegal drugs, alcoholic beverages, or intoxicants, and/or impaired by the unauthorized consumption of prescription drugs or other legal substance
- (g) Illegal or prohibited possession of firearms or other weapons during assigned work hours or while on Board premises
- (h) Failure, refusal, or negligence in the performance of assigned duties
- (i) Violation of federal, state, and/or local laws/ordinances which are substantially job-related or render the employee unavailable for work due to incarceration
- (j) Unauthorized non-charitable or business-related solicitation(s) for any purpose during assigned work hours or while on Board premises
- (k) Unexcused or excessive absenteeism or tardiness, including failure to follow appropriate reporting procedures
- (l) Loafing, loitering, sleeping, or engaging in unauthorized personal business
- (m) Failure to comply with health, safety, and sanitation requirements, rules, and regulations
- (n) Threatening, harassing, intimidating, interfering with, coercing, injuring, or using abusive language toward students, Board employees, or the public
- (o) Unauthorized accessing, disclosure, or copying of confidential information or records
- (p) Engaging in activity that significantly detracts from the school district's image or reputation

- (q) Failure or refusal to comply with school/departmental work rules, policies, or procedures.

**History:** Adopted 10-30-96; revised 09-29-99

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**ADMINISTRATIVE POLICIES OF THE  
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**ADMINISTRATIVE POLICY 6.08**  
**HEALTH AND SAFETY**

(1) Each employee must be physically and mentally able to perform the duties and responsibilities of his/her position and must be free of any condition or disease which may be detrimental to the health and/or safety of students or fellow employees, as determined by a licensed physician.

(a) Physical examinations to establish physical or mental fitness may be required of any employee, as deemed necessary by the superintendent.

(b) Certificates showing a satisfactory state of health for public school employees must be secured from an appropriate medical examiner as identified by the Board. Physical examinations required by the district shall be at the district's expense.

(2) The superintendent shall develop and implement procedures, subject to Board approval, concerning requirements for employee health examinations.

**History:** Revised 3-29-95

**Previous Coding:** Admin. Policy GBE, prior to May 1995; Admin. Policy 7.06, May 1995-August 1996

**Cross Ref.:** Admin. Proc. 6.08 Health and Safety: Staff

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**ADMINISTRATIVE POLICIES OF THE  
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**ADMINISTRATIVE POLICY 6.09  
HUMAN IMMUNODEFICIENCY VIRUS (HIV) INFECTION**

**(1) GENERAL**

(a) Milwaukee Public Schools (MPS) shall strive to protect the health and safety of children and youth in our care, as well as that of their families, our employees, and the community. MPS shall cooperate with public health authorities to promote these goals.

(b) The evidence is overwhelming that the risk of transmitting Human Immunodeficiency Virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of persons (students or adults) living with HIV infection or diagnosed with Acquired Immunodeficiency Syndrome (AIDS) poses no significant risk in school settings.

**(2) STUDENTS**

(a) A student with HIV infection has the same right to attend school, to receive services, and to participate in athletic activities as does any other student and shall be subject to the same rules and policies. HIV infection shall not factor into decisions concerning class assignments, privileges, or participation in all school-related activities or any other activities conducted on school property.

(b) School authorities shall determine the educational placement of students known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities when applicable. Decision makers must consult with the student's healthcare provider and parent or guardian, respect the student's and family's privacy rights, and reassess the placement if there is a change in the student's needs for accommodations or services.

(c) On an annual basis, school administrators shall notify all students, parents/legal guardians, and school personnel about current policy and procedures concerning HIV infection and shall provide convenient opportunities to discuss them.

(d) Information concerning the HIV policy and procedures shall be included in district communications to parents/guardians.

**(3) ADULTS**

(a) "Adult" means a teacher, administrator, food service employee, other school staff members, and other persons having school duties, whether compensated or uncompensated.

(b) Adults with HIV infection in all MPS settings shall not be restricted from their normal employment or duties by reason of HIV infection.

(c) Adults with HIV infection in all MPS settings are expected to continue to carry out their responsibilities and duties as long as they are willing and able to do so. They are expected to manage their own medical care. Should adults with HIV infection in any MPS setting choose to disclose their HIV status to MPS administration, such information shall be treated confidentially and may not be disclosed further or used as cause for dismissal or other prejudicial treatment.

(d) If MPS administration has concerns about safety, performance of jobs, or other duties related to adults with HIV infection, MPS administration may contact the Milwaukee Health Department Medical Director or the MPS Department of Human Resources Director for advice or formal consultation. No identifying information regarding the adult with HIV infection shall be disclosed.

**(4) CONFIDENTIALITY**

(a) Students, families, and employees are not required by law to disclose HIV infection status to anyone in the education system.

(b) Every MPS employee shall treat as highly confidential any information concerning the HIV status of a student. Violation of this confidentiality is cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

(c) No information regarding a student's HIV status shall be disclosed to any individual or organization without a court order or the informed, written, signed, and dated consent of the person 14 years of age or older, or the parent or legal guardian of a person under age 14 years. The written consent must specify the name of the recipient of the information and the purpose for the disclosure.

(d) All health records, including prescription authorization forms, notes of meetings, proceedings, telephone calls, copies of written consents, and all other documents that reference a student's HIV status, shall be kept separate from school education records in a folder in a secured, locked file in the principal's office.

(e) Any verbal communication about individual students with HIV infection must be restricted to persons who have consent from the student's parent/legal guardian or the student 14 years of age or older. The conversation must occur in a private area, away from other adults and students.

(f) Administration of medication to the student with HIV infection must ensure the confidentiality of the student's HIV diagnosis and status.

#### **(5) INFECTION CONTROL**

(a) The MPS Blood-Borne-Pathogen Plan is to be followed by all staff as a standard approach in every case of exposure to blood and body fluids (universal precautions).

(b) The principal shall arrange for review of the Blood-Borne Pathogen Plan on an annual basis with all school staff. The principal/MPS administrator shall be responsible for providing staff and classrooms, including playground, field trip, food service and gym personnel, with the necessary equipment for universal precautions (e.g., gloves, bags, or containers). The Milwaukee Health Department's public health nurses are available for consultation in implementing these procedures.

#### **(6) HIV AND ATHLETICS**

(a) The privilege of participating in physical education classes, athletic programs, competitive sports, and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with chronic conditions, including HIV infection, to participate in school-sponsored physical activities.

(b) All employees must consistently adhere to infection-control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect these guidelines. First-aid kits must be on hand at every athletic event.

(c) All physical education teachers and athletic program staff will be encouraged to complete an approved first-aid injury-prevention course that includes implementation of infection-control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

#### **(7) HIV PREVENTION EDUCATION**

(a) The goals of HIV prevention education are to promote healthful living and to discourage the behaviors that put people at risk of acquiring HIV. The educational program will:

1. be taught in kindergarten through grade twelve, build knowledge and skills, and be appropriate to students' developmental, behavioral, and cultural backgrounds;
2. be taught by individuals who are trained in and knowledgeable of the material, with adequate support;
3. use methods demonstrated by sound research to be effective;
4. be consistent with guidelines prepared by the Centers for Disease Control and Prevention (CDC);

5. stress the benefits of abstinence from sexual activity, alcohol, and other drug use;
6. include accurate information on reducing risk of HIV infection and on blood-borne pathogen education;
7. include means for evaluation;
8. address students' own concerns; and
9. involve parents and families as partners in education.

(b) Parents and guardians will have opportunities to preview all HIV-prevention curricula and materials. School staff members shall assist parents or guardians who ask for help in discussing HIV infection with their children. If a parent or guardian submits a written request to a principal that a child not receive instruction in specific HIV-prevention topics at school, and assures that the topics will be discussed at home or elsewhere, the child shall be excused without penalty.

(c) The education system will endeavor to collaborate with HIV-prevention efforts in the community that address out-of-school youth and youth in situations that put them at high risk of acquiring HIV.

#### **(8) RELATED SERVICES**

School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs and to other HIV-related services as needed. Public information about resources in the community will be kept available or posted in the main office or in the guidance office for voluntary student use.

#### **(9) STAFF DEVELOPMENT**

All school staff members will participate in annual Blood-borne pathogens/HIV education in-services, at their school sites, that will convey factual and current information; provide guidance on infection-control procedures; supply information about current law and state, district, and school policies concerning HIV; assess staff to maintain productive parent and community relations; and include annual review sessions.

#### **(10) POLICY REVIEW**

MPS Administration shall review this policy at least every three (3) years in consultation with the Milwaukee Health Department, the Wisconsin HIV Primary Care Support Network, and the MPS HIV Advisory Committee.

**History:** Adopted 3-27-91; modified 8-14-91; reaffirmed 3-29-95; revised 6-30-99, 6-23-05

**Previous Coding:** Admin. Policy GBEA, prior to May 1995; Admin. Policy 7.07, May 1995-August 1996

**Legal Ref.:** W.S. 146.025; Section 504 Rehabilitation Act; Title II of the Americans with Disabilities Act; Individuals with Disabilities Education Act (IDEA)

**Cross Ref.:** Admin. Proc. 6.09 Human Immunodeficiency Virus (HIV) Infection

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.10 EMPLOYEE ASSISTANCE PROGRAM

(1) The Board recognizes that a wide range of problems not directly related to one's job can affect job performance. These concerns may include personal problems, such as emotional problems, excessive use of alcohol or other drugs, family conflicts or financial difficulty. These personal problems can be successfully dealt with and resolved, provided assistance is offered at an early stage and referral is made to an appropriate form of care.

(2) The Board reaffirms its support for an employee assistance program to provide outside professional consultation to help the Milwaukee Public Schools' employees and their immediate family members resolve these concerns effectively and confidentially. This program shall operate in compliance with procedures approved by the Board.

**History:** Adopted 5-25-82; revised 3-29-95. Reaffirmed 9-26-24

**Previous Coding:** Admin. Policy GBEB, prior to May 1995; Admin. Policy 7.09, May 1995-August 1996

**Cross Ref.:** Admin. Policy 6.12 Drug Free Workplace  
6.13 Drug and Alcohol Testing  
Admin. Proc. 6.10 Employee Assistance Program

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.11 TOBACCO PRODUCTS USE ON BOARD PROPERTY

The use activation, promotion, and sale of ALL tobacco products or imitation tobacco, and electronic nicotine-delivery devices, regardless of whether such devices actually contain nicotine, shall be prohibited at all times on school premises. (The term “school premises” includes all property owned by, rented by, or under the control of the Board inclusive of any off-campus, school-or district-sponsored event or meeting, and district vehicles.) The following process for enforcement of this policy shall be employed.

(1) Students. Any violation of Board policy by students shall be subject to current disciplinary procedures as listed in the manual for parents and students.

(2) Citizens. Citizens who are observed smoking, using tobacco products, or using electronic nicotine-delivery devices on school district property shall be asked to refrain from doing so. If the individuals fail to comply with the request, they shall be asked to leave the building and school district property.

(3) Employees. Employees who improperly use tobacco products or electronic nicotine-delivery devices shall be subject to disciplinary action in accordance with the Employee Handbook.

**History:** Adopted 8-20-90; revised 3-29-95, 9-18-2014, 11-17-22

**Previous Coding:** Admin. Policy GBK, prior to May 1995; Admin. Policy 7.11, May 1995-August 1996

**Legal Ref.:** Wisconsin Act 209, 1989

**Handbook:** Employee Handbook

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.12 DRUG - FREE WORKPLACE

All Milwaukee Public Schools workplaces and facilities shall be drug-free, safe working environments for all employees in accordance with the following.

(1) The manufacture, distribution, dispensing, possession, or use of controlled substances by employees is prohibited in school district buildings, on school premises, and in school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities or off school property during any school-sponsored or school-approved activity, event, or function.

(2) All employees in the district shall abide by provisions of this policy. Employees engaged in the performance of a federal grant shall be required to notify the superintendent of any criminal drug statute conviction occurring in the workplace within five days of the conviction. The district administrator shall notify the appropriate federal agency.

(3) Any employee who violates this policy shall be disciplined, up to and including dismissal in accordance with the provisions of the current MPS Employee Handbook and district policy, procedures, rules, and regulations.

(4) Any employee convicted of a criminal drug statute violation occurring in the workplace and not dismissed by the district shall be required to satisfactorily participate in the district's employee assistance program. Failure to satisfactorily participate in such program shall result in disciplinary action, up to and including dismissal in accordance with provisions of the current MPS Employee Handbook and district policy, procedures, rules, and regulations.

(5) All district employees shall be informed of this policy, the dangers of drug abuse, the district's employee assistance program, and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

**History:** Adopted 1-15-89; revised 3-29-95; 9-26-24

**Previous Coding:** Admin. Policy GBKA, prior to May 1995; Admin. Policy 7.12, May 1995-August 1996

**Legal Ref.:** Drug-Free Workplace Act of 1988

**Cross Ref.:** Admin. Policy 6.10 Employee Assistance Program  
6.13 Drug and Alcohol Testing

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.13 DRUG AND ALCOHOL TESTING

(1) In recognition of the devastating impact that drug and alcohol abuse has on society as a whole, and the potential negative impact it can have on the education of students, the Milwaukee Public Schools shares a vital interest with the public in providing a safe, drug- and alcohol-free educational environment for its students and a safe, drug- and alcohol-free working environment for its employees. To ensure a safe learning environment and workplace, and to comply with Department of Transportation regulations and the Drug-Free Workplace Act, the following shall be adhered to with respect to drug and alcohol testing for all job applicants and current employees.

(2) The drug and alcohol policy applies to all full- and part-time employees of the Board. All employees shall be subject to drug and alcohol testing on a random or reasonable-suspicion basis in accordance with applicable procedures.

(3) Any employee who operates a commercial motor vehicle — including a full-time, a casual, or an intermittent or occasional driver — is subject to the commercial driver’s license (CDL) requirement.

(4) All job applicants, prior to the appointment to either a full- or part-time position, shall submit to a drug test.

(5) Under this policy, the following conduct by employees is prohibited:

- (a) reporting to work impaired by, or under the influence of, alcohol or drugs during working hours, whether due to on- or off-duty conduct;
- (b) engaging in the use, sale, manufacture, or possession of illegal drugs;
- (c) engaging in the use, sale, manufacture, or possession of alcohol on Board premises;
- (d) refusing and failing to submit to a drug-and-alcohol test as required.

(6) Any employee who violates this policy shall be disciplined, up to and including dismissal in accordance with the provisions of the MPS Employee Handbook.

(7) All district employees shall be informed of this policy, the dangers of drug and alcohol abuse, the district’s employee assistance program, and the penalties that may be imposed upon employees for violations of the policy.

**History:** Adopted 8-23-95; Revised 9-18-14; Reaffirmed 9-26-24  
**Cross Ref.:** Admin. Policy 6.10 Employee Assistance Program  
6.12 Drug-Free Workplace

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.14 PERSONNEL RECORDS

(1) The Office of Human Resources shall be charged with maintaining personnel records in accordance with the state open records law, other applicable statutes, collective bargaining agreements, and administrative procedures. Personnel, medical, and similar records, disclosure of which would constitute unwarranted invasion of personal privacy, shall be handled in a manner that will ensure such privacy.

(2) The Office of Human Resources shall treat as privileged information letters of reference pertaining to an employee's potential and similar correspondence. Such letters shall not be available for employee inspection under Wis. Stat. § 103.13.

(3) The Office of Human Resources must still turn over letters of reference to the Office of Board Governance when the Office of Board Governance requests copies of those letters in order to respond to a public records request. There is a statutory exclusion under the public records law, that, in most instances, precludes the Office of Board Governance from releasing letters of reference; however, the Office of Board Governance still needs to see the letters of reference, as it has to disclose to a requester what specific records are being redacted or withheld, and under what authority.

**History:** Issued 8-21-80; revised 3-29-95; 9-26-24

**Previous Coding:** Admin. Policy GBL, GBL-R, prior to May 1995; Admin. Policy 7.13, May 1995-August 1996

**Legal Ref.:** W.S. 103.13

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.1 5**

**CRIMINAL BACKGROUND SCREENING**

(1) It shall be the policy of the Milwaukee Board of School Directors that, prior to the appointment of any person to either a full-time or part-time position, the Office of Human Resources shall conduct a criminal background check through the Wisconsin Department of Justice and other appropriate information sources. With respect to applicants with significant experience in other states, the background check shall include checks in those states.

(2) If the criminal background check confirms a conviction, a determination shall be made, in consultation with legal counsel if necessary, whether or not to reject the application, based upon a consideration of the circumstances of the conviction and whether the circumstances substantially relate to the circumstances of the particular position for which the candidate has applied. If the criminal background check confirms a pending charge, a determination shall be made, in consultation with legal counsel if necessary, whether or not to place the application on hold, based upon a consideration of the circumstances of the charges and whether the circumstances substantially relate to the circumstances of the particular position for which the candidate has applied. If the candidate is ultimately convicted, the application will be rejected; if the charge is dismissed, the candidate may resume his or her application, if a position is still available, or apply for a new position.

(4) A candidate who is rejected through the criminal-background-check process because of a conviction shall have the opportunity to file a written appeal with the MPS Background Check Appeals Committee.

(5) The Office of Human Resources shall promulgate written guidelines which clearly delineate steps to be taken in the hiring process, including identifying the necessary screening processes which must be conducted by Human Resources staff prior to the appointment of any person to either a full-time or part-time position.

**History:** Adopted 8-25-93; reaffirmed 3-29-95; Revised 9-18-2014; 10-26-17

**Previous Coding:** Admin. Policy GBLA, prior to May 1995; Admin. Policy 7.14, May 1995-August 1996

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.16 COMPLAINTS AND GRIEVANCES: STAFF

(1) Employees shall have the opportunity for an orderly presentation and adjustment of their employment concerns. The grievance procedure for all non-probationary employees is outlined in the MPS Employee Handbook.

(2) All employees shall be provided the opportunity to express their complaints and grievances in accordance with procedures outlined in the MPS Employee Handbook.

**History:** Adopted 6-30-75; revised 3-29-95, 09-18-14

**Previous Coding:** Admin. Policy GBM, prior to May 1995; Admin. Policy 7.15, May 1995-August 1996

**Cross Ref.:** Admin. Policy 1.04 Nondiscrimination  
6.03 Sexual Harassment

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.17 PERSONAL PROPERTY LOSS: STAFF

Board employees may receive limited compensation for loss or damage incurred to personal belongings utilized during and for work duties. Such compensation is contingent upon the terms outlined in Administrative Procedure 6.17.

**History:** Revised 3-29-95; 6-27-24

**Previous Coding:** Admin. Policy GBEEA, GBEA-R, prior to May 1995; Admin. Policy 7.08, May 1995-August 1996

**Cross Ref.:** Admin. Proc. 6.17 Personal Property Loss: Staff

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.18 DEFINITIONS: STAFF

### (1) CERTIFICATED STAFF

The term *certificated staff* shall apply to all personnel defined as teachers in section 40.02(55) of the Wisconsin Statutes, unless specifically stated otherwise in Board policy.

### (2) CLASSIFIED STAFF

The term *classified staff* shall apply to all personnel as defined under section 63.53 of the Wisconsin Statutes.

**History:** Admin. Policy GC, prior to May 1995; Revised 9-26-24

**Previous Coding:** Admin. Policies GC and GD prior to May 1995; Admin. Policy 7.16, May 1995-August 1996

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.19**  
**POSITIONS: STAFF**

- (1) All staff positions in the Milwaukee Public Schools shall be established only with the approval of the Board, except as follows:
- (a) The school principal, who has responsibility for management of the school budget within budget limits for each fiscal year, shall have authority to create new positions during the course of the year to effectively staff schools according to ongoing needs. The school shall assume the full cost of employee benefits for positions created after October 1st of the fiscal year.
  - (b) The superintendent or his/her designee shall develop standard procedures for reporting the creation of new positions and shall maintain a list of authorized positions in each school.
  - (c) Certificated staff positions, including non-represented staff, shall be established in accordance with applicable state statutes and Department of Public Instruction requirements.
  - (d) Classified staff positions, including non-represented staff, shall be established in accordance with the requirements of the Board of City Service Commissioners, city civil service laws and rules, and the personnel statutes and ordinances governing city service employment.
- (2) Before any new position is established, the superintendent shall present for the Board's approval a job description setting forth the functions, duties, responsibilities, and qualifications of the position.
- (3) The Board believes that the schools must be adequately staffed by competent personnel to achieve the educational objectives established for the schools. The Board, therefore, may from time to time approve staffing formulas which will create a sufficient number of positions to accomplish these objectives.

**History:** Revised 3-29-95, 5-17-95

**Previous Coding:** Admin. Policy GCA, GDA, prior to May 1995; Admin. Policy 7.17, May 1995-August 1996

**Legal Ref.:** W.S. 40.02 (55), 63.30, 63.53, 119.18(10)

**Contract Ref.:** MTEA Contracts (Teachers, School Accountants, Educational Assistants); ASC; PAMPS Contract; Int'l. Union of Operating Engineers Local 950; District Council 48, Local 1616, Local 1053; Service Employees International Union, Local 150

**Cross Ref.:**

|               |      |                                  |
|---------------|------|----------------------------------|
| Admin. Policy | 2.03 | Administrative Organization Plan |
|               | 3.02 | Budget Control                   |
|               | 6.23 | Recruitment and Hiring: Staff    |
|               | 7.25 | Class Size                       |

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.20  
CONTRACTS, EMPLOYEE BENEFITS, AND COMPENSATION PLANS**

(1) The Board recognizes that attractive compensation plans, which include adequate base salary, salary incentives, and employee benefits are necessary to attract and hold highly qualified staff to administer and provide effective educational programs for the Milwaukee Public Schools.

(2) As required by state statutes, the Board negotiates agreements concerning salaries, hours, and conditions of employment with certified collective bargaining units.

(3) Fringe benefits shall include a comprehensive insurance program, tax-sheltered annuity programs, retirement benefits, tuition reimbursement, vacations and holidays, various other types of leave, and other benefits that may be granted by the Board.

(4) The Board shall establish salary schedules for all other employees excluded from bargaining units by virtue of being classified confidential or supervisory.

(5) All Milwaukee Public Schools employees and all employees of Milwaukee Public Schools contractors shall be paid a minimum of seven dollars and seventy cents (\$7.70) per hour for any and all work performed directly or indirectly for the Milwaukee Public Schools. This policy shall not apply to Milwaukee Public Schools students.

**History:** Codified 1976; Adopted 1-24-96; modified 1980, 3-29-95,4-25-96 ,12-18-9, 2-26-97

**Previous Coding:** Admin. Policy GCB, GCBA, GDB, prior to May 1995; Admin. Policy 7.18, May 1995-August 1996

**Legal Ref.:** W.S. 111.70, 119.18(10), 119.40

**Contract Ref.:** MTEA Contract (Teachers, Substitute Teachers); ASC Contract; PAMPS Contract; District Council 48 Locals 1616 & 1053; Service Employees Int'l. Union Local 150; Int'l. Union of Operating Engineers, Local 950

**Cross Ref.:**

|                 |         |   |
|-----------------|---------|---|
| Bd. Gov. Policy | BG 2.14 | Negotiations  |
|                 | BG 4.09 | Compensation and Benefits                           |
| Admin. Policy   | 3.09    | Purchasing and Bidding Requirements                 |
|                 | 6.01    | General Personnel Policies                          |
| Admin. Proc.    | 6.20    | Contracts: Employee Benefits and Compensation Plans |

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.21**  
**SALARY SCHEDULES: STAFF**

(1) The Board shall annually determine and fix salary schedules for all of its employees, except the prevailing wage rates, which may be amended by the Board from time to time. All schedules of salaries annually fixed by the Board shall be adopted for the same period and on the same year basis as the annual school budget is adopted.

(2) No increase in salary without a change in duties and responsibilities, other than training and service increments provided for in salary schedules and increases based on Board-approved changes in negotiated schedules and in the prevailing wage rates, shall be granted except upon approval by the Board or by special Board action.

**History:** Codified 1976; revised 1984, 3-29-95, 5-24-95

**Previous Coding:** Admin. Policy GCBA, GCBAA, GDBA, prior to May 1995; Admin. Policy 7.19, May 1995-August 1996

**Legal Ref.:** W.S. 119.18(10), 119.40

**Contract Ref.:** MTEA Contracts (Teachers, Substitute Teachers, School Accountants, Educational Assistants); ASC Contract; PAMPS Contract; District Council 48, Locals 1053 and 1616; Service Employees' International Union, Local 150; International Union of Operating Engineers, Local 950

**Cross Ref.:** Bd. Gov. Policy    BG 4.10    Employee Reclassification  
                                  BG 4.11    Salary Increases/Decreases  
Admin. Proc.            6.21      Salary Schedules: Staff

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.22**  
**LEAVES AND ABSENCES: STAFF**

(1) The Board shall provide a plan for leaves and absences designed to help members of the staff maintain their physical health, take care of family and other personal emergencies, improve professionally, and discharge important and necessary obligations.

(2) Such leaves and absences shall be granted in accordance with state statutes, agreements negotiated with recognized bargaining units, and district procedures.

**History:** Revised 3-29-95

**Previous Coding:** Admin. Policy GCBD, GDBD, prior to May 1995; Admin. Policy 7.20, May 1995-August 1996

**Cross Ref.:** Admin. Proc. 6.22 Staff Leaves and Absences: Staff

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.23 RECRUITMENT AND HIRING: STAFF

The Board, through its employment policies, shall attempt to attract, to secure, and to hold the most highly qualified personnel for all positions. The superintendent shall develop a recruitment-and-selection program, subject to the Board's approval, that is based upon the diverse characteristics of the school system and the Board's mission and goals.

### **(1) CERTIFICATED STAFF (INCLUDING NON-REPRESENTED STAFF)**

(a) The superintendent shall have the sole right of nomination for employment and promotion of certificated personnel, and the appointment of any nominated candidates shall be effected only with the approval of the Board. In the case of rejection, the Board may request another nomination.

(b) The effective date of appointment of certificated personnel shall be fixed by the Board, and no appointment shall be antedated more than 60 days.

### **(2) CERTIFICATED STAFF (EARLY CHILDHOOD)**

Priority should be given in hiring for two years, beginning in 1996; thereafter only teachers certified in early childhood to teach in kindergarten through the third grade shall be hired.

### **(3) CLASSIFIED STAFF (INCLUDING NON-REPRESENTED STAFF)**

(a) All appointments at whatever level of operation shall be brought to the attention of the Board.

(b) The superintendent shall see that persons nominated for employment are selected from appropriate civil service lists, when required, and meet qualifications established for the type of position for which the nomination is made.

### **(4) LIMITED-TERM EMPLOYMENT (LTE) POSITIONS**

(a) All LTE (limited-term employment) contracts for LTE positions at any level of operation shall be reported to Board within 60 days of commencement of services.

(b) LTE positions must have the approval of the superintendent, the management of the Office of Accountability and Efficiency, or the director of the Office of Board Governance (OBG), whichever is applicable, and the funding source must be confirmed by the Office of Finance before any LTE contract that exceeds 60 days may be brought forth for approval by the Board.

(c) No LTE contract shall be for a period of one year or more without the Board's advance approval of the extension.

|                         |  |
|-------------------------|--|
| <b>History:</b>         | Revised 3-29-95, 6-26-96, 7-26-12, 5-31-18   |
| <b>Previous Coding:</b> | Admin. Policy GCC, GCD, GDC prior to May 1995; Admin. Policy 7.21, May 1995-August 1996  |
| <b>Legal Ref.:</b>      | W.S. 63.33, 63.37, 63.39, 63.41  |
| <b>Contract Ref.:</b>   | ASC Contract; MTEA Contracts (School Accountants, School Aides); District Council 48, Locals 1053 and 1616; Service Employees' International Union, Local 150; International Union of Operating Engineers, Local 950 |
| <b>Cross Ref.:</b>      | Admin. Proc.      6.23(1)      Recruitment and Hiring: Staff<br>6.23(2)      Certificated Staff Hiring<br>6.23(3)      Filling Principal Vacancies   |

**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.25  
PROBATION AND TENURE: STAFF**

**(1) CERTIFICATED STAFF**

(a) Initial appointments, as well as promotion to any certificated position, in the Milwaukee Public Schools shall be on a probationary basis, for one semester — or one-half work-year for 12-month employees — provided that, before acquiring permanent tenure, each employee shall have successfully served six semesters, or three work-years, on probation.

(b) Probationary personnel shall be re-appointed semi-annually. For the monthly meetings of the Board in January and June, and at such other times as may be necessary, the superintendent shall prepare for the Board or its designated committee a report of teachers, administrators, and supervisors, as well as recreation and adult education personnel, serving on the probationary list who are recommended for continued employment.

(c) In the case of personnel covered by the teacher tenure law, recommendations for re-appointments shall be submitted to the Board or its designated committee for employees in their sixth semester of service prior to the completion of the sixth semester. The Board or its designated committee shall consider the recommendations and take necessary action thereon.

(d) Upon completion of probationary service, a certificated employee shall be deemed permanently employed during satisfactory service and good behavior, without further action by the Board.

(e) Certificated staff members who have been permanently appointed and have resigned from the service of the Board, if re-appointed by the Board, shall resume their status as to tenure in the position to which re-appointed.

**(2) CLASSIFIED STAFF**

(a) Unless otherwise provided for in the agreements negotiated with recognized bargaining units, each classified employee shall serve the probationary period established by these agreements in any position for which he/she is hired or in any new position to which he/she is promoted.

(b) Upon the recommendation of the superintendent, all classified personnel who have satisfactorily served their probationary periods shall be considered as regularly appointed to a position in the city service.

**History:** Codified 1976; revised 3-29-95

**Previous Coding:** Admin. Policy GCG, GDG, prior to May 1995; Admin. Policy 7.23, May 1995-August 1996

**Legal Ref.:** W.S. 116.42, 1989 Wisconsin Act 4

**Contract Ref.:** MTEA Contract (School Accountants, School Aides); ASC Contract; District Council 48, Locals 1053 and 1616; Service Employees International Union, Local 150; International Union of Operating Engineers, Local 950

**Cross Ref.:**

|               |         |                               |
|---------------|---------|-------------------------------|
| Admin. Policy | 6.08    | Health and Safety: Staff      |
|               | 6.23    | Recruitment and Hiring: Staff |
| Admin. Proc.  | 6.23(1) | Recruitment and Hiring: Staff |
|               | 6.25    | Probation and Tenure: Staff   |

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.26  
TENURE OF CERTIFICATED STAFF AND OTHER SUPERINTENDENT'S STAFF**

(1) The deputy superintendent, executive assistant to the superintendent, assistant to the superintendent, department directors, and division directors may be entitled to salary increments for the periods of their service on the administrative or supervisory staff, as recommended by the superintendent upon an evaluation of that individual's performance. Persons who have acquired permanent tenure before appointment to the administrative or supervisory staffs shall be deemed to have a leave of absence from their former positions while serving on the administrative or supervisory staffs.

(2) Except as otherwise provided in paragraph 3 below, the members of the administrative or supervisory staffs who have not acquired permanent tenure before appointment to such staffs shall, after three full years of satisfactory service as appointed members of such administrative or supervisory staffs, be granted permanent tenure as to the school system but not as to any specific position on the administrative or supervisory staffs. The conditions precedent to such permanent tenure with respect to health clearance, certification, and other matters shall be the same as those required of teachers.

(3) The deputy superintendent, executive assistant to the superintendent, assistant to the superintendent, department directors, and division directors cannot acquire permanent tenure, or credit toward permanent tenure as to the school system, while in those positions. Persons in those positions who previously acquired permanent tenure as to the school system, as provided in paragraph 1 above, shall retain that permanent tenure as to the school system.

(4) Upon recommendation of the superintendent and approval by the Board, any member of the administrative or supervisory staffs who has gained permanent tenure as provided above may be reassigned to any other educational position within the school system for which he/she is properly qualified, and his/her salary shall be set at the appropriate step in the established schedule for such position.

**History:** Revised 3-29-95

**Previous Coding:** Admin. Policy GCGA, prior to May 1995; Admin. Policy 7.24, May 1995-August 1996

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.27  
TIME SCHEDULES AND WORKLOAD: CERTIFICATED STAFF**

(1) It shall be the responsibility of the Board to establish time schedules to enable the Milwaukee Public Schools to operate most efficiently.

(2) The work hours of administrators and supervisory personnel shall adhere to the Employee Handbook and shall be extended as necessary to fulfill requirements of the position.

(3) The work hours of teachers shall adhere to the Employee Handbook.

(4) The workday for teachers shall take into account actual teaching time and other responsibilities involved at each grade level, including the hours during which students are in school and short periods of time before they arrive and after they depart.

**History:** Codified 1976; Revised 3-29-95, 5-29-14

**Previous Coding:** Admin. Policy GCJ, prior to May 1995; Admin. Policy 7.25, May 1995-August 1996

**Cross Ref.:** Employee Handbook 7-1-13

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.28 RESIGNATION: STAFF

### (1) CERTIFICATED STAFF

(a) The superintendent is authorized and directed to accept finally on behalf of the Board the resignation of all certificated employees.

(b) The superintendent shall transmit a report of all such accepted resignations to the Board or its designated committee. The superintendent's report shall then be included with the committee's report to the Board.

### (2) CLASSIFIED STAFF

The superintendent is authorized and directed to accept resignations of classified employees in their respective departments.

**History:** Revised 3-29-95; 9-26-24

**Previous Coding:** Admin. Policy GCPB, GDPB prior to May 1995; Admin. Policy 7.26, May 1995-August 1996

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.29 RETIREMENTS: STAFF

### (1) CERTIFICATED STAFF

Any employees defined as teachers in section 40.02(55) of the Wisconsin Statutes are participants in the Wisconsin Retirement System.

### (2) CLASSIFIED STAFF

Employees of the Milwaukee Public Schools, with exceptions noted in section 63.53 of the Wisconsin Statutes, and those who are eligible according to the rules of the Employees' Retirement System of the City of Milwaukee (ERS) may participate in the ERS program. Employees hired on or after January 1, 2024, shall be eligible to participate in the Wisconsin Retirement System.

**History:** Revised 3-29-95; 9-26-24

**Previous Coding:** Admin. Policy GCPC, GDPC, prior to May 1995; Admin. Policy 7.27, May 1995-August 1996

**Legal Ref.:** Age Discrimination in Employment Act, P.L. 95-256, W.S. 40.02.55, W.S. 63.53

**Contract Ref.:** MTEA Contracts (Teachers, Substitute Teachers); ASC Contract; PAMPS Contract

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**ADMINISTRATIVE POLICY 6.30**  
**SUSPENSION AND DISMISSAL: STAFF**

**(1) CERTIFICATED STAFF**

- (a) The superintendent may take employee disciplinary action when it is in the best interest of the school system. Such action shall be in accordance with provisions of the Employee Handbook.
- (b) No certificated employee who has become permanently employed as herein provided by reason of three or more years of continuous service shall be discharged, except for cause upon written charges.

**(2) CLASSIFIED STAFF**

- (a) The superintendent, when he/she in his/her discretion believes it is for the best interests of the school system, may reduce in status, suspend, remove, or discharge classified employees in the respective departments, or impose penalties or take other disciplinary action with respect to these employees, for misconduct, incompetence, inefficiency, inattention to duty, or for any other reason that disqualifies or renders such employee unfit for the position held.
- (b) Any employee who is reduced in status, suspended, removed, discharged, or penalized shall be notified thereof in writing, and said notice shall contain a statement of the reasons for such action.
- (c) Any non-probationary employee who is reduced in status, suspended, removed, or discharged may, within fifteen business days after receipt of notice of such action, file a grievance as to the just cause of the discharge, suspension, or discipline imposed upon him/her.

**History:** Revised 3-29-95; 10-26-17  
**Previous Coding:** Admin. Policy GCPD, GDPD, prior to May 1995; Admin. Policy 7.28, May 1995-August 1996  
**Legal Ref.:** W.S. 63.43, 63.44, 119.42  
**Cross Ref.:**

|                 |       |  |
|-----------------|-------|--|
| Board Rules     | App A | Employee Discipline Hearing Procedures |
| Bd. Gov. Policy | 2.06  | Board Meetings: Public Participation   |
| Admin. Policy   | 6.22  | Leaves and Absences: Staff             |
|                 | 6.25  | Probation and Tenure: Staff            |
| Admin. Proc.    | 6.30  | Suspension and Dismissal: Staff        |

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.31 PROFESSIONAL RESEARCH ACTIVITIES — CERTIFICATED STAFF

(1) Research to be conducted in the schools should be appropriate and should not interfere with the major functions of the school. Using time of teachers and students in any research activity is an investment by the school system which should increase effectiveness of the educational effort.

(2) Requests involving research projects to be conducted in the Milwaukee Public Schools shall be reviewed for appropriateness by the Division of Research and Evaluation. Following this review, the researchers must contact principals of selected schools to solicit participation in their investigations.

(3) School participation is always voluntary. The participation of staff members and students within participating schools is also voluntary.

**History:** Revised 3-29-95, 06-30-16

**Previous Coding:** Admin. Policy GCQB, prior to May 1995; Admin. Policy 7.29, May 1995-August 1996

**Cross Ref.:** Admin. Policy 2.15 Research and Survey Proposals

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.32 PEPPER SPRAY: USE OF

No person shall possess or use pepper spray at any time on the premises owned or rented by, or under the control of, the Board. Any Board employee who violates this policy shall be subject to discipline.

**History:** Adopted 4-20-95; Reaffirmed 6-27-24  
**Previous Coding:** Admin. Policy 7.30, May 1995-August 1996

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## **ADMINISTRATIVE POLICY 6.33** **CLINICAL STUDENTS, STUDENT TEACHING, STUDENT ADMINISTRATOR, PRACTICUM STUDENTS, INTERNS, AND FIELD- PLACEMENT STUDENTS**

### **(1) GENERAL**

(a) As one of its contributions to the development and strengthening of the education profession, the Milwaukee Public Schools recognizes its responsibility for providing opportunities for clinical-students, student teachers, student administrators, practicum students, interns, and field-placement students to be placed within our district upon request from colleges and universities with approved certification programs in education.

(b) Clinical students - student teachers, student administrators, practicum students, interns, and field-placement students shall not be assigned to buildings in which their spouses, significant others, domestic partners, or dependents are otherwise assigned.

(c) Clinical students - student teaching, placement of student administrators, practicum students, interns, and field placement are done on a credit basis through an arrangement between the student and the college or university.

(d) Staff members of the Milwaukee Public Schools who are, clinical students or are student teachers, student administrators, practicum students, interns, or field-placement students may, upon agreement with the college or university involved, fulfill this requirement - while working in their current position. Employees that need to complete the requirements may work in their current position to satisfy required hours unless a reassignment is required in order to meet program licensing requirements.

(e) Monetary stipends from the college or university for placement of students shall be given to the Milwaukee Public Schools Foundation.

### **(2) STUDENT TEACHING, STUDENT ADMINISTRATOR, AND FIELD-PLACEMENT PROCESS**

(a) When a college or university wishes to place students with MPS, the college/university must contact the Department of Procurement and Risk Management -Contract law Specialists. The college/university must sign the Global Agreement between the Milwaukee Board of School Directors (MBSD) and Educate Wisconsin LLC f/k/a Norda, Inc. for conducting clinical education and/or field placement/student teacher programs. This signed agreement is reviewed by the Department of Procurement and Risk Management - The Department of Procurement and Risk Management sends the signed agreement to the MPS's Superintendent for approval and signature.

(b) Upon the approval of the Global Agreement the college or university then submits the criminal background check - application for student teaching, student administrator, practicum students, interns, or field-placement students to the Office of Human Resources for processing.

(c) The MPS - Office of Human Resources will notify the college or university of the approval or non-approval of the student.

(d) If the request for placement has been approved, the Office of Human Resources will forward it - to the Division of Induction and Support.

(e) The principal or school leader will submit a list of recommended cooperating teachers to the Division of Induction and Supports who will match approved requests for placement with approved cooperating teachers.

(e) The Division of Induction and Supports will contact the college or university with approval of request for student placement.

(f) Once the process is completed, the college or university then - works directly with the MPS principal or school leader and cooperating teacher where the student(s) have been placed.

### **(3) CLINICAL EDUCATION PLACEMENT PROCESS**

*The process outlined below is for school counselors, school nurses, occupational therapists, physical therapists, speech language pathologist, school psychologists, and school social workers.*

(a) When a college or university wishes to place students with MPS, the college/university must contact the Department of Procurement and Risk Management.

(b) The Department of Procurement and Risk Management sends the Global Agreement between the Milwaukee Board of School Directors (MBSD) and the college/university for conducting clinical education for signature. Once signed, the agreement is returned to the district for the Superintendent's approval and signature.

(c) The MPS-Department of Procurement and Risk Management notifies the college or university and the MPS Program Coordinator that the agreement is in place.

(d) The college or university contacts the MPS Pre-Service and Licensing Coordinator to request a student placement.

(e) Upon the approval of the Global Agreement the college or university then submits the criminal background check application for Clinical students, to the Office of Human Resources for processing.

(f) The - Office of Human Resources notifies the MPS Pre-Service and Licensing Coordinator of the approval or non-approval of the student

(g) If approved, the MPS Pre-Service and Licensing Coordinator notifies the college or university of the student's approval and assigns a clinical instructor to the student.

(h) The MPS Pre-Service and Licensing Coordinator notifies the Office of Human Resources and the school principal or school leader of the placement.

**History:** Codified 1978; revised 1982, 3-26-86, 1-13-88, 2-22-95, 12-16-10, 11-18-21  
**Previous Coding:** Admin. Policy LEA, prior to May 1995; Admin. Policy 12.02, May 1995-August 1996  
**Legal Ref.:**  
**Cross Ref.:** Adm Pol. 2.15 Research and Survey Proposals

# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.34

### STAFF INTERNET SAFETY ACCEPTABLE USE POLICY (AUP)

Milwaukee Public Schools offers electronic network access for students, teachers, and other staff within the school system. The purpose of having the electronic network is to support the instructional program, including learning opportunities, business applications, information retrieval, searching strategies, research skills, and critical thinking. This document defines the acceptable use of the MPS network system (i.e., WAN, LAN, Internet, digital platforms, and email) and computer resources by MPS Staff, as well as the obligation of school staff to educate, supervise, and monitor appropriate usage by students.

#### **(1) EDUCATIONAL PURPOSE**

(a) The district's network system has been established for educational and administrative purposes. The term *educational purpose* includes classroom activities, continuing education, professional or career development, and high-quality, educationally enriching personal research.

(b) The district's network system has not been established as a public access service or a public forum. The district has the right to place restrictions on the material which staff accesses or posts through the system. Staff is also expected to follow the rules set forth in this policy and the law in staff's use of the network system. Disciplinary action may take place against MPS staff that breaks rules, as defined in MPS administrative policy.

(c) Staff may not use the network system for commercial purposes. This means that staff may not offer, provide, or purchase products or services through the network system.

#### **(2) RULES AND REGULATIONS**

##### **(a) Acceptable Use**

Milwaukee Public Schools' networks are to be used in a responsible, efficient, ethical, and legal manner and must be in support of the educational objectives and employee guidelines of Milwaukee Public Schools.

##### **(b) Unacceptable Use**

1. Unacceptable use includes, but is not limited to, the following:
  - a. violation of copyright/trademark laws;
  - b. use of threatening or obscene material;
  - c. political or campaign materials;
  - d. sending or soliciting sexually-oriented messages or images;
  - e. changing settings on computers;
  - f. disrupting the network through casual use of the Internet;
  - g. accessing chat services and other social media sites, except those set up and/or approved by school administration;
  - h. accessing programs not appropriate for educational use;
  - i. unauthorized use of district applications ;
  - j. access to pornography, including child pornography.
2. The use of the email system is permitted as long as it is used for educational purposes.3. Listservs may never be used for personal emails, nor may the employee use district-wide school or department email addresses.

4. Use of offensive or harassing statements or language, including profanity, vulgarity, and/or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs, is prohibited.

5. Staff shall not cyberbully another person. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another staff member or student by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or social media website postings.

6. Staff shall not engage in the unauthorized disclosure, use, or dissemination of personal identifiable information (PII) regarding students. "Personal identifiable information" includes the student's full name, together with other information that would allow an individual to locate the student, including the student's family names, the student's home address or location, the student's work address or location, or the student's phone number.

### (3) EDUCATION, SUPERVISION AND MONITORING

(a) It shall be the responsibility of the Chief Academic Officer and Director of Technology to educate, supervise, and monitor usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protection Children in the 21<sup>st</sup> Century Act.

(b) Procedures for the disabling or otherwise modifying of any technology-protection measures shall be the responsibility of the Director of Technology or designated representatives.

(c) The Chief Academic Officer or designated representatives shall provide appropriate training for staff who use the MPS network system . The training provided will be designed to promote the district's commitment to:

1. the standards and acceptable use of Internet services as set forth in the MPS Acceptable Use Policy;
2. staff and student safety with regard to:
  - a. safety on the Internet;
  - b. appropriate behavior while on online, on social media Web sites, and in chat services ; and
  - c. cyberbullying awareness and response; and
3. compliance with the E-rate requirements of the Children's Internet Protection Act ("CIPA").

Following receipt of this training, participating staff will acknowledge that they have received the training, and will follow the MPS Safety Acceptable Use Policy (AUP).

(d) CIPA definition of terms:

1. **Minor.** The term *minor* means any individual who has not attained the age of 17 years.
1. **Technology-Protection Measure.** The term *technology-protection measure* means a specific technology that blocks or filters Internet access in visual depictions that are:
  - a. *obscene*, as that term is defined in section 1460 of Title 18, United States Code;
  - b. *child pornography*, as that term is defined in section 2256, of Title 18, United States Code; or
  - c. harmful to minors.
2. **Harmful to Minors.** The term *harmful to minors* means any picture, image, graphic image file, or other visual depiction that:
  1. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

2. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

#### **(4) SYSTEM SECURITY AND RESOURCE LIMITS**

##### **(a) System Security**

1. Attempts to login to the system as any other user, to share a password, or to allow a security breach may result in cancellation of user privileges.
2. Staff will immediately notify the MPS Technology Department if they have identified a possible security problem. Staff, however, shall not look for security problems, because this may be construed as an unlawful attempt to gain access. Staff shall not demonstrate any such problem to other users. Communications relating to, or in support of, illegal activities may be reported to the authorities.
3. Staff will avoid the inadvertent spread of computer viruses by following the district's virus-protection procedures.

##### **(b) Resource Limits**

Staff will not download files unless absolutely necessary for educational or administrative purposes. If deemed necessary, staff shall immediately remove the file from the computer/network after there is no longer a need to access it. Any files found to be non-educational or unrelated to the business of the district may be removed without notice.

#### **(5) EMAIL ACCOUNTS**

- (a) Email accounts are to be used only by their owners.
- (b) Electronic mail is not guaranteed to be private: system operators have access to all mail.
- (c) All staff email is archived in accordance with the Open Records Act.

#### **(6) PRIVACY**

##### **(a) Privacy**

1. Staff should expect only limited privacy in the contents of their personal files on the network system and records of their online activity. This district's monitoring of Internet usage can reveal all activities in which staff engage in using the MPS network system.
2. Routine maintenance and monitoring of the MPS network system may lead to discovery that staff has violated this policy or the law. An individual search will be conducted if there is reasonable suspicion that staff has violated this policy or the law. The investigation will be reasonable and related to the suspected violation.
3. Confidential files are to be accessed only by appropriate personnel.

##### **(b) Due Process**

1. The district will cooperate fully with local, state, or federal officials in any investigation related to any unlawful activities conducted through the MPS network system.
2. In the event there is a claim that a member of the staff has violated this policy in their use of the network system, he/she will be provided with notice and opportunity to be heard in the manner set forth in administrative policy.

#### **(7) LIMITATION OF LIABILITY**

The district will not guarantee that the functions or services provided through the network system will be without error. The district will not be responsible for any damage which staff may suffer, including,

but not limited to, loss of data, interruptions of service, or exposure to inappropriate material or people. The district will not be responsible for the accuracy or quality of the information obtained through the MPS network system. The district will not be responsible for financial obligations arising through the unauthorized use of the system.

**History:** Adopted 1-25-2007; Revised 6-24-10; 6-28-12; 6-27-24  
**Cross Ref.:** Admin. Policy 8.47 Children’s Internet Protection Act  
Admin. Policy 8.48 Student Internet Safety Acceptable Use Policy (AUP)

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.35 WHISTLEBLOWER PROTECTIONS

(1) The purpose of this policy is to support the Milwaukee Public School District's (MPS) goal of legal and ethical compliance. MPS encourages the members of the Milwaukee Board of School Directors, its employees, and its volunteers to share their questions, concerns, suggestions, or complaints with someone who can address them properly.

(2) It is the responsibility of all members of the Milwaukee Board of School Directors, employees, independent contractors, and volunteers to report legal, criminal, policy, or ethical violations.

(3) An MPS employee, volunteer, or independent contractor may not be retaliated against for disclosing information regarding:

- (a) a violation of any state or federal law or local ordinances;
- (b) a violation of the policies of the Milwaukee Board of School Directors or the district;
- (c) alleged mismanagement, criminal activity, or alleged abuse of authority within MPS;
- (d) alleged substantial waste of public funds; or
- (e) an alleged danger to public health or safety.

(4) An MPS employee may disclose the information to the President of the Milwaukee Board of School Directors, the management of the Office of Accountability and Efficiency, or the Superintendent. If the reporting individual is uncomfortable speaking with, or is not satisfied with the response of, the foregoing individuals, the information may be reported to the Director of the Office of Board Governance. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the parameters of adequate investigation.

(5) No Board member, employee, or volunteer who makes a good-faith report under this policy (or who cooperates in inquiries or investigations) shall suffer harassment, retaliation, or adverse employment consequences.

(6) Any employee or volunteer who retaliates against an individual who has, in good faith, made a report under this policy is subject to discipline up to and including termination, in accordance with applicable labor agreements, employment laws, and district policy.

(7) To be protected by this policy, individuals who report violations or suspected violations must be acting in good faith based on reasonable belief that the reported information represents a valid policy, ethical, or legal violation. Unsubstantiated allegations or reports that prove to have been made falsely or maliciously will be viewed as serious disciplinary offenses.

(8) This policy will be provided to all Board members, employees, and volunteers, and included in new employee orientation, as well as in ongoing training programs for employees and volunteers. This policy will also be posted on both the District's main website and on the MPS Office of Accountability and Efficiency's website.

**History:** Adopted 12-16-10; revised 02-23-17

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**ADMINISTRATIVE POLICIES OF THE  
MILWAUKEE PUBLIC SCHOOLS**

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**ADMINISTRATIVE POLICY 6.36  
STUDENT NON-FRATERNIZATION POLICY**

**(1) DEFINITIONS**

(a) Staff. *Staff* is defined as the following:

1. any individual employed by the Milwaukee Public Schools, including any student teachers, practicum students, fieldwork students, and MPS volunteers;
2. employees of contractors or agencies and independent contractors;
3. volunteers of non-MPS organizations.

(b) Student. *Student* is defined as any individual enrolled in the Milwaukee Public Schools district.

**(2) GENERAL**

The relationship of staff to students must be one of professional cooperation and respect. Staff must set appropriate boundaries with students and conduct themselves in a manner that will maintain professional relationships with students at all times.

**(3) PROHIBITED CONDUCT**

Staff are prohibited from engaging in any of the following types of prohibited conduct, regardless of whether the conduct occurs on or off school property or whether the conduct occurs during or outside of school hours. The following list of prohibited conduct does not, and is not intended to, constitute the entire list of conduct for which discipline may be imposed.

- (a) engaging in any romantic or sexual relationships with students, including dating, flirting, sexual contact, inappropriate physical displays of affection, or sexually suggestive comments between staff and students, regardless of whether staff or student initiates the behavior, whether the relationship is consensual, or whether the student has parental permission;
- (b) fostering, encouraging, or participating in inappropriate emotionally or socially intimate relationships with students in which the relationship is outside the bounds of the reasonable, professional staff-student relationship and in which the relationship could reasonably cause a student to view the staff person as more than a teacher, administrator, or advisor;
- (c) initiating or continuing communications with students for reasons unrelated to any appropriate purpose, including oral or written communication; telephone calls; electronic communication such as texting, instant messaging, email, chat rooms, Facebook, or other social networking sites; webcams; or photographs. Electronic and online communications with students, including those through personal accounts, should be accessible to supervisors and professional in content and tone;
- (d) socializing with students outside of class time for reasons unrelated to any appropriate purpose;
- (e) providing alcohol (regardless of age) or drugs — either prescription or illegal (except for those provided in accordance with district policy on medication administration) — to students.

**(4) REPORTING PROCEDURES**

(a) **Duty to Report.** Any person with knowledge or suspicion of an improper relationship between staff and a student must immediately report the conduct to school administration, the

Department of Student Services, or the Office of Human Resources. Nothing in this paragraph is intended to relieve mandated reporters of their obligations under state and local statutes.

b) **Protection from Retaliation.** Staff who makes a good-faith report of a suspected fraternization violation, or who cooperates in inquiries or investigations related to the investigation of such a report, shall be protected from retaliation in accordance with Administrative Policy 6.35, Whistleblower Protections.

**(5) SANCTIONS**

(a) **Discipline.** The district will take appropriate disciplinary action, up to and including dismissal, against any staff found to have violated this non-fraternization policy.

(b) **Report Procedures.** Reports of suspected fraternization violations by represented staff shall follow the procedures set forth in accordance with the appropriate disciplinary policies in their collective bargaining agreements. Reports of suspected violations by staff who are not part of a bargaining unit shall follow the appropriate administrative policy.

**History:** Adopted 06/30/2011

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# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.37 LIMITED - TERM EMPLOYMENT POSITIONS

The superintendent, director of the Office of Board Governance, and management of the Office of Accountability and Efficiency are authorized to use limited-term employment ("LTE") positions on a temporary basis to fill short term areas of need, subject to the conditions set forth below.

(1) The purpose of using LTE positions is to fill short term areas of need. It is employment that cannot become permanent. Examples of types of situations in which LTE employment would be appropriate include filling in for an employee who is on a long-term leave of absence; pending the recruitment of a new hire for a permanent position; performance of work on a limited-term grant or project; or supplementing the workforce during times of peak workloads or retirements, including the use of retirees to train new hires.

(2) LTE positions are eligible only for statutory fringe benefits (e.g., employer contributions to Social Security, workers' compensation, and possibly unemployment compensation and state or city pension). Individuals in LTE positions are not paid for vacation, sick leave, or holidays (unless asked to work), tuition reimbursement, or any other non-statutory fringe benefit. Fringe-benefit rates specific to these positions will be used to charge the area that has the established budget authority for the position.

(3) Requirements that must be met to fill LTE positions include the following:

- a. will require budget authority as confirmed by the Office of Finance;
- b. will follow the fundamental hiring-and-selection process as established by the Office of Human Resources as the final hiring authority;
- c. will follow Administrative Procedure 6.23 in the screening of applications to hire a limited-term employee that is followed by an abbreviated interview process as determined by the Office of Human Resources;
- d. will be subject to the same pre-employment requirements as are regular employees (e.g., pre-placement physicals, criminal-information background screen, etc.);
- e. can be used for a classified or certificated position and shall not subject to residency requirements;
- f. will follow Administration Policy 6.04, Employee Code of Ethics, and specifically will not permit the hiring or supervision of immediate family (nepotism);
- g. will require a signed limited-term employment contract that outlines the length and specifics of the LTE assignment;
- h. will be required to follow applicable Administrative Policies of the Milwaukee Public Schools, including, but not limited to, the following:
  - 6.03, Anti-Sexual Harassment
  - 6.04, Employee Code of Ethics
  - 6.05, Code of Ethics
  - 6.06, Gifts and Solicitations
  - 6.07, Employee Rules of Conduct
  - 6.08, Health and Safety
  - 6.09, Human Immunodeficiency Virus (HIV) Infection
  - 6.11, Tobacco Products Use on Board Property
  - 6.12, Drug-Free Workplace
  - 6.13, Drug and Alcohol Testing
  - 6.15, Criminal Background Screening
  - 6.32, Pepper Spray: Use of
  - 6.34, Staff Acceptable Use Policy (AUP)

- 6.35, Whistleblower Protections
- 6.36, Student Non-Fraternization Policy.

(4) The appointment of an individual in an LTE position to a permanent position must be brought to the Board for approval.

(5) LTE contracts must be brought to the Board for review within 60 days of the commencement of services, and continued LTE employment beyond the initial 60-day period is contingent upon the Board’s approval. Any LTE contract for services from an individual in an LTE for one (1) year or longer must be justified and brought to the Board for approval.

(6) The LTE assignment shall be cost-effective and mindful of any potential conflicts of interest involving the individual in the LTE position and the Milwaukee Public Schools.

(7) On a semi-annual basis, in August and February, the Administration shall present a report on all LTE employees active during that period, their life-to-date earnings as LTEs, and an indicator of how long each individual has served as an LTE.

(8) An LTE’s active-pay status shall be inactivated after 30 calendar days subsequent to the completion of the payroll activity corresponding to his/her LTE contract’s end date.

**History:** Adopted 7-26-12; Revised 2-22-18, 5-31-18  
**Cross Ref.:** Admin. Policy 6.23 Recruitment and Hiring: Staff  
Admin. Proc. 6.23(6) Filling LTE Positions

# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 6.38 THEFT, FRAUD, WASTE, ABUSE, ILLEGAL OR UNETHICAL BEHAVIOR

### (1) INTRODUCTION

The purpose of this policy is to provide employees and citizens with a confidential, secure means to report suspected theft, fraud, waste, abuse, and illegal or unethical behavior in Milwaukee Public Schools.

### (2) DEFINITIONS

(a) "Theft" is the intentional removal of district assets for personal use. District assets include, but are not limited to, cash, checks or other cash equivalents, and tangible assets.

(b) "Fraud" is an intentional deception perpetrated by an individual or individuals or organization(s), either internally or externally, that results in a tangible or intangible benefit to the individual(s) or organization(s) that causes detriment to others and/or the District. Fraud includes the false representation of a matter of fact, whether by words or conduct, by false or misleading statements, or by concealment of facts that should be disclosed which deceives or is intended to deceive.

(c) "Waste" is the intentional or unintentional, thoughtless or careless, unauthorized expenditure, consumption, mismanagement, use, or squandering of assets and/or resources owned or operated by the District to the detriment or potential detriment of the District. Waste also includes committing or incurring the expenditure of unnecessary costs due to the inefficient and/or ineffective design and application of financial and operating processes, automated and computerized systems, and/or internal controls.

(d) "Abuse" is the excessive or improper use of district assets; the use of district assets in a manner that is contrary to the natural or legal rules for its use; the intentional destruction, diversion, manipulation, misapplication, maltreatment, or misuse of district assets; or the extravagant or excessive use of district assets so as to abuse either one's position with the District or one's authority related to oversight within the District.

(e) "Illegal behavior" is any behavior that is in violation of statute, regulation, or ordinance, which is criminal in nature and which may also negatively affect the District.

(f) "Unethical behavior" is any behavior that may create or appear to create a conflict of interest.

### (3) EMPLOYEE REPORTING REQUIREMENTS

All Milwaukee Public School officials, chiefs, directors, and managers must report any instances of suspected theft, fraud, waste, abuse, or other illegal or unethical behavior upon becoming aware of such activity within the Milwaukee Public Schools. This includes any activity described within this policy, whether the suspect is an employee, a student, or an outside party. Failure to report any of the activities noted above may subject the employee to disciplinary action, including — but not limited to — discharge from employment.

All other employees may report any such instances.

|              |                                |      |   |
|--------------|--------------------------------|------|---|
| History:     | Adopted 6-29-2017              |      |   |
| Cross Ref.:  | Admin. Policy                  | 6.04 | Employee Code of Ethics                                   |
|              |                                | 6.05 | Code of Ethics  |
| Admin. Proc. |                                | 6.05 | Code of Ethics  |
|              |                                | 6.07 | Employee Rules of Conduct                                 |
|              |                                | 6.35 | Whistleblower Protections                                 |
|              |                                | 6.38 | Theft, Fraud, Waste, Abuse. Illegal or Unethical Behavior |
|              | School Accounting Manual Theft |      |   |

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