

SUBJECT: **CODE OF ETHICS**

Supersedes: Policy 8.16 (2001)

Effective: August 13, 2009

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Approved by: Detroit Board of Education

1.0 Policy

The mission of The Detroit Public Schools (DPS) is *to develop a customer and data-driven, student-centered learning environment, in which students are motivated to become productive citizens and life-long learners, equipped with skills to meet the needs of their next customer, be it higher education, or the world of work.* Our Code of Ethics is intended to assist us achieve success by setting common expectations and increasing trust, commitment and teamwork throughout the district and the community.

1.1 DEFINITION OF CODE OF ETHICS:

Written guidelines created by an organization to its Board members, employees or agents to assist them in conducting their actions in accordance with the organization's primary goals and values.

1.2 ADDITIONAL DEFINITIONS:

- 1.2.1 Board Member:** Individuals duly elected and/or appointed as prescribed by law to serve on the Detroit Board of Education for the School District for the City of Detroit.
- 1.2.2 Conflict of Interest:** Conflicts of interest arise when our position or decisions result in an improper advantage, economic or non-economic, that is adverse to the District's interests.
- 1.2.3 Contract:** An agreement to which the Detroit Board of Education and/or Detroit Public Schools is a party, or any agreement on behalf of either or the same.
- 1.2.4 Detroit Public Schools (DPS) or Employer:** Shall include District employees, Board members, District facilities, students and District agents.
- 1.2.5 Domestic Partners:** Individuals who reside in the same household and are involved in a relationship, often holding themselves out to the public as marital partners, but who are not legally married.
- 1.2.6 Employee:** Shall include: the General Superintendent, all employees of DPS, individuals other than employees who act on behalf of DPS,

including contractors and subcontractors, and organizations speaking or acting on behalf of DPS.

1.2.7 Family Member: Shall included: 1) any individual residing in the same home as the employee and 2) immediate family: spouse, parent, sibling or child of employee. Where appropriate, may also include individuals so close to the employee, they are “like family.”

1.2.8 Gifts: A gift or gratuity is a benefit received that was not paid for, which can include: food, lodging, transportation, personal services, subscription, membership, trip, loan, and forgiveness of debt, advance or deposit of monies, discounts and anything of value.

1.2.9 Related Party: Shall include one or more of the following: domestic partner, family member, relative(s) or significant other.

1.2.10 Relatives: For purposes of this policy, a relative is defined as a spouse, child, parent, sibling, grandparent, aunt, uncle, first cousin, or corresponding in-law or step-relation.

1.2.11 Significant Other: Individuals who are dating or engaged to be married but may or may not reside together

1.3 PURPOSE

The Code of Ethics develops trust by describing what can be expected internally and externally from DPS. The Code is crucial in order to assist District personnel achieve high ethical standards and to maintain a professional environment that fosters trust and avoids conflicts of interest and appearances of impropriety.

1.4 APPLICATION AND ENFORCEABILITY

The Code of Ethics applies to all District employees and Board Members. Provisions of this Code of Ethics are governed by State law, School Board rules, regulations, standing orders and collective bargaining agreements, violations of which may result in administrative or disciplinary action.

1.5 MAKING ETHICAL DECISIONS

The Code of Ethics is a general guideline and does not entail a comprehensive solution for all situations. Judgments should be made in keeping with the overall purpose of the Code. When making decisions:

1.5.1 Evaluate the situation and identify the ethical issues.

1.5.2 Consult the Code of Ethics, law, and District rules, regulations, standing orders, policies and procedures.

1.5.3 Ask for guidance from your supervisor as soon as an issue arises before action is taken. If your supervisor is involved in the issue, contact his/her supervisor or the General Counsel's office.

1.5.4 Form a decision that is consistent with the rules and purpose of the Code.

1.6 **COMMITMENTS AND EXCEPTIONS**

The goal of DPS is to develop an environment that is fulfilling, ethical and focused on hard work and creativity. This goal shall be achieved through our commitment to excellence, integrity and responsibility.

1.7 **CORE PRINCIPLES**

To further this mission, DPS is committed to three core ethical principles:

- Excellence
- District and Personal Integrity
- Responsibility

2.0 **COMMITMENT TO EXCELLENCE**

The DPS is committed to achieving success and educating students to their maximum potential.

2.1 **SET THE EXAMPLE**

DPS shall commit to providing the best example possible while demonstrating excellence, integrity and responsibility in our profession.

2.2 **CREATE AN ENVIRONMENT OF TRUST, RESPECT AND NON-DISCRIMINATION**

DPS shall commit to creating an environment of trust and respect. Discriminatory or harassing behavior of students or employees shall not be tolerated.

2.3 **PROVIDE ACCURATE AND TIMELY INFORMATION**

DPS shall commit to candor in professional affairs, providing all other District personnel accurate and timely information. DPS is intolerant of falsification and dishonesty.

2.4 IDENTIFY PROBLEMS AND ASSIST IN SOLUTIONS

DPS shall commit to identifying areas for improvement and implementing solutions that increase our success.

2.5 FOLLOW POLICIES, PROCEDURE AND RULES

DPS shall commit to following the Code of Ethics, laws, and District rules, regulations, standing orders, policies and procedures. DPS shall recommend changes when improvements are necessary and shall not tolerate improper conduct.

2.6 REPORT IMPROPER CONDUCT

Employees, Board members, students and agents of DPS shall report to a supervisor, the Office of General Counsel or the Inspector General: gross mismanagement, significant waste of funds, abuse of authority, threats to safety, violations of our Code of Ethics, laws, rules, regulations, standing orders, policies and procedures, or other conduct that damages our integrity or reputation.

2.7 PROHIBITED RETALIATION

The DPS shall commit to creating a work environment where issues can be reported and solved. DPS is prohibited from threatening, harassing, punishing or retaliating against employees and students who submit good faith complaints.

3.0 DISTRICT AND PERSONAL INTEGRITY

To maintain our integrity, DPS is committed to making decisions in the best interest of the District. DPS shall avoid conflicts of interest and the appearance of impropriety in accordance with the Code of Ethics and policy guidelines set forth by the Detroit Board of Education.

3.1 AVOID CONFLICTS OF INTEREST AND IMPROPER OUTSIDE INFORMATION

DPS is permitted to receive outside funds provided it does not create a conflict with our District work. DPS shall commit to declining outside income that may be perceived as inconsistent, incompatible or in conflict with our official duties.

3.2 DECLINE GIFTS

DPS shall not accept gifts or gratuities in excess of \$100 from a single source in a single year (aggregate retail value). Nor shall DPS accept gifts or gratuities that appear to have influenced our decisions regardless of the value. DPS shall not solicit vendors, lobbyists, parents or others for anything that provides a personal benefit different from the public.

3.3 IMPROPER INFLUENCE OF FAMILY MEMBERS AND ASSOCIATES

DPS shall commit to abstaining from decisions that could result in a direct benefit to a family member or significant other including, but not limited to; hiring, promoting, discipline, evaluating or direct supervision.

3.4 MAINTAIN APPROPRIATE RELATIONSHIPS WITH STUDENTS

The DPS shall commit to ensuring that employee-student relationships are positive, professional and non-exploitative. The DPS shall not tolerate improper employee-student conduct.

3.5 KEEP PROCUREMENT INFORMATION CONFIDENTIAL

To reinforce public trust and confidence in our procurement processes, the DPS shall commit to ensuring that procurement information is kept confidential, used only in the necessary performance of our duties, and not released early to potential contractors.

3.6 KEEP THE CONTRACTING PROCESS OBJECTIVE

The DPS shall commit to making contract award recommendations in the best interest of the District. From the time an RFP, specification or other contract document is issued until the staff recommendation is made public, the DPS shall not have contact concerning the contract with contractors participating in the process or their representatives.

3.7 FUTURE EMPLOYMENT

In order to prevent conflicts of interest, DPS personnel are not permitted to discuss the possibility of future employment with a person or organization that may benefit from their official decisions. Contractors are required by DPS to disclose all personnel, consultants and sub-contractors who were employees of the District during the previous three years. The District shall not contract with a contractor who compensates a former DPS employee who may influence an action on a matter pending with the District if that employee, within the last twelve (12) months, held a DPS position in which the employee personally and substantially participated in that matter. DPS shall not contract with a contractor that employs a former District employee who, while serving in a DPS position within the last two years, substantially participated in the development of the contract's RFP, requirements, specifications or in any other part of the contracting process. No former DPS official is permitted to lobby the District for one year after leaving the District.

3.8 UPHOLD DISTRICT INTERESTS IN HIRING AND PROMOTION

DPS shall commit to hiring and promoting DPS personnel based on qualifications and the criteria of the position, and shall not tolerate improper practices.

4.0 RESPONSIBILITY

DPS shall commit to holding each other responsible for our performance as a District and as individuals.

4.1 PROPER USE OF PUBLIC POSITION

DPS shall commit to ensuring that the District's power and authority are used in an appropriate, positive manner that enhances the public interest and trust. DPS shall not use its authority to improperly influence the public or obtain preferential treatment.

4.2 PROPER USE OF PUBLIC RESOURCES

Except for occasional and limited personal use that does not interfere with performance of duties or create an appearance of impropriety, DPS shall commit to ensuring that the District facilities, equipment, supplies, mailing lists or other resources are used for District purposes only. DPS shall not tolerate improper use of public resources, and shall report and reimburse the District for significant costs of any personal use.

4.3 LEADERSHIP OF DISTRICT PERSONNEL AND USE OF DISTRICT TIME

DPS shall commit to ensuring that personnel perform only work related to DPS on District working-time. DPS shall not direct or permit District personnel to perform personal services on District working time and will report such incidents to their supervisor, the Office of General Counsel or Inspector General.

4.4 UPHOLD CONFIDENTIALITY

To achieve excellence, our District employees, parents and students must be able to discuss issues frankly and, when appropriate, in confidence. DPS shall commit to abiding by all laws and District policies concerning confidential information, including student records, personnel files, agreements, and District records and policies. DPS shall not reveal information which is exempt from disclosure pursuant to the Freedom of Information Act, Family Educational and Privacy Rights Act and state and federal law.

4.5 WAIVERS

The Emergency Financial Manager, DPS Superintendent or their designees, upon a showing of good cause, may waive an ethics prohibition in writing with notification to the Board of Education.

5.0 BOARD MEMBER AND EMPLOYEE COMMITMENT

All DPS Board members and District employees are required to review the Code of Ethics. The Code of ethics governs at the time Board membership or employment begins. All DPS Board members and District employees shall acknowledge the Code of Ethics policy and execute activities and behavior accordingly.

References

Michigan Revised School Code

Detroit Public Schools' Whistleblower Policy

Freedom of Information Act ("FOIA"), MCL 15,231 et seq.

Family Educational and Privacy Rights Act ("FERPA"), 20 U.S.C. 1232

Contracts of Public Servants with Public Entities Act 317 of 1968 (MCL 15.321-15.330)

BusinessDictionary.com: <http://www.businessdictionary.com/definition/code-of-ethics.html>