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| <b>MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM:</b>   |  | <b>March 2020</b>                                   |   |
| <b>CONSIDERATION OF ADOPTION OF PERSONNEL POLICY</b>  |  |   |   |
| <b>STATUTORY AUTHORITY:</b>   |  |   |   |
| Section 161.132, RSMo   |  | <input checked="" type="checkbox"/> Consent<br>Item | <input type="checkbox"/> Action<br>Item <input type="checkbox"/> Report<br>Item |
| <b>PRIORITY AREA</b>  |  |   |   |
| Efficiency & Effectiveness  |  |   |   |
| <b>SUMMARY</b>  |  |   |   |
| <p>The Department's complete set of personnel policies was adopted by the State Board of Education on March 21, 2002. Revisions to some policies have been approved in subsequent years. Policy 300-320 Code of Ethics, Standards of Conduct and Employee Corrective Action, that now needs to be revised and is included. Policy revisions have been reviewed by a committee composed of employees, executive staff, the human resources section, and legal counsel.</p> |  |   |   |
| <b>RECOMMENDATION</b>   |  |   |   |
| <p>The Department recommends that the State Board adopt the personnel policy as presented.</p>  |  |   |   |



**EXECUTIVE SUMMARY OF PERSONNEL  
POLICIES CHANGES  
REVISED MARCH 2020**

The following is a brief explanation of changes to the Department's Personnel Policies.

**300-320 Code of Ethics**

The Department is proposing to reorganize the section for conflict of interest into two sections; one for actions and behaviors of Department employees and one for outside work. The Department clarified any revenue-producing activity as outside work, and removed examples of possible conflicts of interest.

The Department clarified that employees must disclose all current or anticipated outside work to their immediate supervisor, and removed the requirement to disclose this to the Human Resources Section. The Department clarified the use of leave when conducting outside work.

The Department is proposing to add language that if an employee reports outside work that is a potential conflict of interest, then the supervisor shall use the chain of command to resolve the issue. Additionally, in the event of a disagreement over the conflict of interest, then the Commissioner of Education, or designee, shall make the final decision. The Department clarified the employee shall rectify the conflict of interest in order to continue employment with the Department.



## PERSONNEL POLICIES AND PROCEDURES

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|--------------------|--|
| Adoption Date:     | Approved By: State Board of Education                        |
| Policy No: 300-320 | Section: Standards of Conduct and Employee Corrective Action |
| Pg. 1 of 3         | Subject: Code of Ethics                                      |

### I. PURPOSE

To provide a basis for employee conduct to protect the integrity of the Department.

### II. SCOPE

This policy applies to all Department employees.

### III. POLICY

(A) Employees are expected to devote their best efforts to the interests of the Department and the conduct of its affairs. Each employee of the Department shall become familiar with and abide by the provisions of the Governor's Executive Order 18-10 (Code of Conduct) and the Standards of Conduct Personnel Policy Office of Administration Employee Code of Conduct (SP-13).

~~(B) No employee of the Department shall solicit or accept a gift, fee or honorarium for participation in any activity or program directly or indirectly related to the public schools of the State of Missouri or the work of the Department. This policy applies, but is not limited to, Missouri School Improvement Program (MSIP); commencement addresses; advising or consulting with school district officials in preparing proposals for funds administered by the Department, North Central Association, or other evaluations; and participation on programs of area, district, or state educational associations.~~

~~(B) The Department recognizes the right of the its employees to may engage in activities, outside of their employment at with the Department, which are of a private nature and unrelated to Department business. However, a policy of full disclosure will be followed to assess revenue-producing activities (i.e. outside work) and prevent potential conflicts of interest. from arising as listed in the procedures.~~

~~(C) Participation in supplemental revenue producing activities must be scheduled to Outside work shall not detract from or interfere with the employee's departmental responsibilities of the employee and They must also be handled shall be conducted so there is no possibility of a conflict of interest. An example would be the authorship or co-authorship of a book or text where the employee's position with the Department could affect its acceptance and use in the state. Another example would be the arrangement of departmental travel to benefit personal needs or desires. Supplemental revenue producing activities must never involve the utilization of materials, property, or equipment of the Department.~~

- (D) Employees shall act impartially and neither dispense nor accept special favors or privileges, which might be construed to improperly influence the performance of their official duties.

#### IV. PROCEDURES

- (A) While all the possible circumstances and conditions cannot be described here, within this policy, the following is set forth to guide the actions and behaviors of Department employees:

~~1. Staff members shall not engage in outside employment, which may be a conflict of interest or which is in any way detrimental to the performance of their assigned duties;~~

~~2. Staff members engaging in outside employment shall abide by this policy and the Standards of Conduct personnel policy;~~

~~3. If the employee will receive compensation from the institution or employer for the services provided, the service must be provided on the employee's own time or the employee must take annual leave;~~

~~4. All outside work by an employee must be fully disclosed to the employee's immediate supervisor and the Human Resources Section;~~

5.1. No employee of the Department may shall solicit or accept gifts or favors (including food and beverage) of substantial value from customers or vendors. Any gift must be declined unless it is an unsolicited item of nominal value, which is defined as twenty-five (\$25.00) or less, and acceptance does not violate state laws or regulations, or Department policy.

6.2. No employee of the Department, or members of his or her immediate family, may shall directly or indirectly borrow from, lend to, invest in, or engage in any substantial financial transaction with a potential or current, customer, client, or supplier. ; and/or

~~7. No outside work may be done during regular office hours and no Department facilities, equipment, labor, or supplies may be used to conduct this outside activity.~~

- (B) While all the possible circumstances and conditions cannot be described within this policy, the following is set forth to guide outside work of Department employees:

1. Staff members No employee shall not engage in outside employment, which may be work outside of the Department that is a conflict of interest or which is in any way detrimental to the performance of their assigned duties.

2. Department employees shall fully disclose ~~All~~ current or anticipated outside work ~~by an employee must be fully disclosed to the employee's immediate supervisor. and the Human Resources Section.~~
3. No outside work may be ~~done~~ performed during regular office hours. ~~If the employee will receive compensation from the institution or employer for the services provided, the service must be provided on~~ Outside work shall be conducted during the personal time of the employee's ~~own time~~ or the employee ~~must take~~ shall use annual leave.
4. No employee shall use sick leave, FMLA leave, shared leave or workers compensation leave to conduct work outside of the Department.
5. No Department facilities, equipment, labor, or supplies ~~may~~ shall be used to conduct ~~this~~ any outside work-related activity.

(C) If an employee reports outside work that is a potential conflict of interest, then the supervisor shall use the chain of command to resolve questions involving potential conflicts of interest. In the event there is a disagreement about the conflict of interest, the Commissioner of Education or his/her designee shall make the final decision.

(D) If a conflict of interest is identified, then the employee shall rectify the conflict of interest in order to continue employment with the Department. Failure to disclose ~~or discuss information related to any of the above points~~ rectify the conflict of interest ~~may lead to corrective action, up to and~~ shall result in disciplinary action, including dismissal.