
ANCHORAGE SCHOOL DISTRICT

ETHICS HANDBOOK



Information for
ASD Employees

April 2019

DISCLAIMER: This handbook is for educational purposes only. Employees are responsible for reading AMC 1.15 and ASD School Board policies. 4119.21/4219.21/4319.21. It must be noted that each situation is unique and the policy sections are for general reference. Employees are responsible for reviewing the appropriate policies for each situation and complying with the requirements therein.

INTRODUCTION

The purpose of this handbook is to familiarize employees with the Anchorage Municipal Code of Ethics (AMC chapter 1.15). This handbook is not intended to substitute for the official document. The Code of Ethics addresses:

- x Standards and descriptions of prohibited conduct
- x Restrictions on outside employment
- x Contracting with the district
- x Accepting gifts
- x Disclosure requirements and forms
- x Reporting procedures for alleged violations
- x Sanctions for violators

ASD employees are responsible for being aware of and adhering to the code provisions. Substantiated violations of the code may result in termination of employment, suspension or canceling official actions such as contract awards, and civil fines.

Employment in the Anchorage School District is a privilege entrusted by the public. The Municipal Code of Ethics includes a statement of duties and standards of conduct for all ASD employees, and the code assures the public this trust is well-placed. This handbook summarizes standards of conduct and the reasons behind these standards. It is a guide to ethical decision-making, and it describes procedures regarding ethics inquiries and complaints.

DISCLOSURE

All district employees must disclose potential conflicts of interest. District employees must file a written statement with the Purchasing Department disclosing financial or private interests in official action, and those of any member of their immediate family, as defined by AMC Code 1.15. This disclosure must occur within 30 days of hire if the financial interest is present at that time or at the earliest opportunity after having acquired knowledge that the employee, or an immediate family member intends to do business with the District or Municipality of Anchorage. In addition, a statement must be filed annually, on or before July 1, disclosing financial or private interests in official action for the preceding calendar year. A person has a financial interest in a district action if a financial interest of the individual may vary with the outcome of the decision. The Purchasing Department will determine whether the disclosed financial or private interest is so substantial that preventive measures must be taken or the employee must be prohibited from participating in official action. In general, the following financial or private interests are considered substantial:

- x A personal or financial interest that is not of the magnitude that would exert an influence on an average, reasonable person.
- x A personal or financial interest of a type that is generally possessed by the public or a large class of persons to which the official or employee belongs.
- x An action or influence that would have an anticipated significant conjunctural effect on the matter in question.

Even if a district employee thinks a financial or private interest is not substantial, they should disclose it and let the Purchasing Department make the determination.

Example #1: A teacher works for a private tutoring company that provides Supplemental Educational Services to eligible Title I students after school. Does the teacher have to report this employment? Is it a conflict of interest?

Comments: As this employment is in the same profession needed by the employee throughout the contract year, the outside employment must be reported. However, there is no conflict of interest, so no additional waiver needs to be filed.

Example #2: An individual working for the city Department drives tour buses on weekends during the summer. Would this need to be reported?

Comments: This would need to be reported because this employment is in a different profession, skill, or trade from the employee's job duties.

Example #3: An ASD music teacher performs at weddings and other social events throughout the school year. What are the reporting requirements?

Comments: The music teacher need only report annually if he/she performs at social events throughout the year. The teacher does not need to report every single performance.

GIFTS

As a general rule, an employee may not accept a gift from an individual or an entity with interests that may be substantially affected by the performance of the person's official municipal/ASD duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the person's judgment in exercising official duties. Employees should thoroughly review AMC section 1.15.050(H) before accepting any gifts. The [Ethics Code Attachment Form #051 Gift Receipt General Guidelines](#) provides further guidelines concerning gift receipt.

Prior approval must be received from the Municipal Ethics Board before using a gift that does not fall within the gift guidelines.

Example: A group of citizens want to meet with a city official on a matter pertaining to his department's policies. They invite him to lunch and discuss the issue. Should he accept?

Comment: According to the Ethics Code, meals offered as a courtesy in the course of doing district business may be accepted. However, having the spouse or business frequently pick up lunch or dinner tabs raises questions concerning prohibited conduct under AMC section 1.15.050, especially if the official's actions favor the business of the spouse. Therefore, it is recommended that the official pay for his own meal to avoid questions regarding what the official does for paid meals. If Donald is using his position to get free meals on a regular basis, this is violating the Code of Ethics.

POLITICAL ACTIVITY

There are several restrictions on political activity that impact ASD employees:

- x District employees are citizens who are permitted to participate in the political life of the community, however they may not engage in political activities while on duty. (There is a narrow, specific exception for advocacy on ballot measures by an executive employee as designated by the manager or school board.) When off duty, ASD employees cannot appear to be representing the district when engaging in political activities. They should not suggest the employee has official district endorsement of a political position.
- x District employees are free to make or political contributions. However, no employees or officials shall compel, coerce or intimidate anyone to make or refrain from making any political contribution.
- x District employees cannot use district funds for advertisements that advocate for a particular political position, candidate, or legislation.
- x Advertisements or public information paid for and distributed by the district must be neutral and balanced.
- x A district employee shall not serve as a member of the School Board or hold elected public office. If elected to public office, an employee must resign his or her district position. Employees are not prohibited from serving on the Assembly, City Council Boards, or local Service Area Boards.

Example: Esther is the principal of a school and is a life-long member of a well-established political party. Assemblyman Frederick, who is a member of the same party, is running for re-election. She is very enthusiastic about Frederick and would like to see him re-elected. She thinks it might be a good idea to announce his re-election, pass out some fliers at staff meetings, and explain why she thinks he'll be such a good candidate. Should she follow through on her plan?

Comments: No. Because Esther is a principal and is using district property to advocate for her favorite political candidate, the employees in her school may feel coerced into supporting the candidate. They may be afraid that unless they support the candidate, they might not get treatment in the workplace by the principal. Also, even if Esther were not the principal, she would be using district property and time for political campaigning - a clear violation of the ethics code.

Example: What if Esther was not a principal and limited her activity to only wearing a button promoting Frederick while on duty?

Comment: Esther's button, while worn at work, does not constitute campaigning or political endorsement and is therefore not prohibited while she is on duty. Esther would, however, be allowed to post a sign endorsing a candidate in her personal vehicle.

CONTRACT INDUCEMENTS

District employees and officials cannot accept a payment or offer of employment from any contractor or subcontractor as an inducement to award the third party a district contract.

Example Mary writes contract specifications for ABC, which is widely used in the district. The local vendor that sells and distributes ABC offers to fly her to the factory in Florida near Orlando, to see the quality of production. Should she accept the offer?

Comment: No. A trip to Florida is valuable and has been taken by the average, reasonable person as part of their ordinary duties. Even though the intent of the offer may be business-related, it gives the appearance of a payment for

- x Review and Award. The employee's bid is ineligible if an appeal waiver is not on file, the notice is incomplete or filed with the Purchasing Department on time, or all other requirements of Section 1.15 of Municipal Ethics Code and Board Policy AR 3311.1(e) are not followed. After award, the form is filed by the Purchasing Department and is open to the public for review.

Conflicts of interest may be avoided if employees discuss the matter with their supervisor and the Director of Purchasing prior to pursuing the contract.

Example: Vince is custodian for the district, and co-owner of a consulting business. He hears the district is putting a networking project out for bid. He is qualified to do the work and decides to make a bid on the contract. What should he do?

Comment: Vince needs to do several things. First, he must request a waiver to do business with the District. Second, he must make sure the information received about the bid is generally known to the public, and not privileged or confidential information gained from his position. Third, he must file a Notice of Intent to Respond to Public Solicitation with the City Department and the Municipal Clerk's office. Fourth, he should also discuss the matter with his immediate supervisor and the Director of Purchasing in order to avoid a conflict of interest due to his participation in outside contemporaneous employment. He must also be certain the work he does for the district—should he get the bid—will not conflict with his regular job.

DEFINITIONS

confidential information information which by law or Municipal Code is not subject to public disclosure

contemporaneous employment non-district employment that exists, occurs, originates during the same time as your regular employment with the district

contract— a business contract, purchase order, lease, loan, or similar instrument of municipal government

district employee- any person employed by the Anchorage District, whether full-time, part-time, temporary, substitute, or regular

economic interest a benefit, financial interest, special privilege, or contractual relationship

engaging in business a current contract or arrangement, the submission of an oral or written proposal, to provide goods or services to the district

financial interest- an expectation of receiving a monetary benefit or receipt of monetary benefit. A financial interest of a person includes any financial interest in a business, partnership, or other entity that is a source of income or benefit to the person.

gratuity— is something that has value in anticipation of special consideration from an employee or official

immediate family— The spouse, child (including a step and an adoptive child), parent, sibling, grandparent, aunt, or uncle of the person; and a sibling of the person's spouse; and any member of the person's household.

organization— any corporation, partnership, or association, whether organized for profit or non-profit

private interest— an interest affecting, belonging or accruing to an individual or private entity as distinct from the public interest at large

