

## 04-04. Code of Ethics

<b>Internal Policies and Procedures of the Utah State Board of Education</b>
<b>Policy # 04-04</b>
<b>Subject:</b> Code of Ethics
<b>Effective Date:</b> 10/6/2010 <b>Revision Dates:</b> 3/12/2018
<b>Purpose:</b> To outline and set expectations for USBE employees in their positions of public trust, furthering the public's confidence in government and public education, and to protect against any perception of wrongdoing.
<b>Policy:</b> A USBE employee shall be ethical in all job activities and personal interactions, and make decisions based on the best interests of public education students and the public, without influence by those who may seek special favors, and without regard to personal gain.
<b>References:</b> Utah Code Annotated Chapter 67, Part 16, Utah Public Officers' and Employees' Ethics Act; DHRH Administrative Rule <a href="#">R477-9, Employee Conduct</a> ; Governor's Executive Order (EO 002 2014), Establishing an Ethics Policy for Executive Branch Agencies and Employees, <a href="http://www.rules.utah.gov">www.rules.utah.gov</a> , issued 06/02/2014)

### **Procedures:**

As used in this policy:

- "family member" means a USBE employee's spouse, siblings, step-siblings, siblings-in-law, parents, step-parents, parents-in-law, children, step-children, children-in-law, and any person living in the same household as the employee.
- "to lobby," or "lobbying," means to receive compensation or other remuneration, including personal benefit, for attempting to influence state or local public education board members or public education executive officers.

### **A USBE employee shall:**

- recognize that being employed as a state employee is a position of trust that should only be used to advance public interests, and not personal gain;
- represent oneself and the USBE ethically, and avoid all appearance of impropriety;
- base decisions and actions on facts free from partiality or prejudice, and unimpeded by conflicts of interest;
- conduct business openly, efficiently, equitable, and honorably;
- consult supervisors regarding legal, ethical, or personal benefit questions;
- avoid relationships or commitments that would knowingly conflict with the best interests of customers or the USBE;
- observe both the letter and spirit of laws, rules, and policies; and

- avoid impropriety, and the appearance of impropriety, to maintain public confidence in the integrity of USBE.

#### **A USBE employee may not:**

- use state or public resources for a personal purpose, benefit, or gain (this does not prohibit an incidental benefit);
- exploit relationships with USBE customers for personal advantage, nor solicit USBE customers for private practice;
- use the employee's position or information acquired through the position to coerce or otherwise influence the public or customers for personal favors or personal gain for themselves or others;
- disclose confidential information to any person, agency, or entity without prior authorization;
- falsify, knowingly enter, or cause to be entered any false or improper information in USBE records;
- wrongfully destroy a record, report, or claim;
- disclose a password to another person who is not authorized to have the password;
- knowingly permit a former employee to lobby the current USBE employee unless a one-year period has passed since the former employee's employment was terminated;
- participate in any hiring or employment decision related to a family member;
  - if a hiring or employment matter arises relating to a family member, the employee shall notify the employee's supervisor of the relationship and be recused from all discussions or decisions related to the matter; and
- take part in any contracting decisions relating to a family member, or relating to any entity in which a family member is an officer, director, or partner, or in which a family member own or controls 10% or more of the stock in such entity;
  - if a contracting matter arises relating to a family member, the employee shall notify the employee's supervisor of the relationship and be recused from all discussion or decisions relating to the matter.

#### **Gifts**

- A USBE employee may not accept a gift or other compensation that might be intended to influence or reward the employee in the performance of official business;
  - Although Utah Code Section 67-16-5 allows for certain non-monetary gifts under \$50, USBE employees **may not** accept gifts, other than allowed by this policy.
  - For purposes of this policy, gift does not include:
    - gift cards of \$25 or less;
    - campaign contributions received in accordance with Utah Code Title 20A, Chapter 11;
    - food, refreshments, or meals of limited value;
    - Items or mementos of nominal value such as pens or pencils;
    - rewards and prizes open to the general public or all public employees;
    - plaques or mementos recognizing service;
    - gifts from extended family members or personal friends;

- small efforts of common courtesy or other services of nominal monetary value such as meeting refreshments, pens/pencils, computer mouse pads, or post-it notes with logos;
  - funeral flowers or memorials; and
  - attendance or participation at events sponsored by another governmental entity or a group for which the State Board of Education has responsibility.
- If a USBE employee receives a gift that cannot be accepted, the employee may return the gift, pay the giver its market value, or donate the gift to the state of Utah or to an education-related non-profit entity.
  - If the gift is perishable or not practical to return, the employee may share the gift with coworkers or donate it to charity.
- A USBE employee shall report annually to the employee's supervisor all gifts received in the employee's official conduct of business.