

Staff Ethics

For the purpose of this policy the following definitions apply:

1. "Relative" means:
 - a. The spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the employee; or
 - b. The parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the staff member.
 - c. Any individual for whom the employee has a legal support obligation, whose employment provides benefits² to the employee, or who receives any benefit from the employee's public employment.

2. "Member of the household" means any person who resides with the employee.

ESD employees are allowed financial benefits as identified in ORS 244.040(2), such as their official compensation package, reimbursed expenses, limited honoraria and unsolicited awards for professional achievement. ESD employees are prohibited from using or attempting to use his/her ESD position to obtain a financial gain or to avoid a financial detriment for the ESD employee, a relative or member of the household of the employee, or any business with which the employee or a relative or member of the household of the employee is associated, if the opportunity for financial gain or avoidance of a financial detriment would not otherwise be available but for the employee's position with the ESD. Specifically, this means that:

1. Employees will not use ESD equipment for personal use, unless it is available to a significant segment of the general public. This includes, but is not limited to, the personal use of the ESD's:
 - a. Fax machine³;
 - b. Phones to make long distance personal calls;
 - c. ESD vehicles;
 - d. Professional technology equipment (e.g., wood shop, automotive shop, CAD); and
 - e. Athletic facilities (e.g., pool or weight room).

Further, the ESD's supplies, facilities, equipment, employees, records or any other public resources are not to be used to engage in private business interests. For example, the ESD's computer cannot be used to sell products on an auction website at any time.

2. When employees are traveling on official ESD business, any gift given because of this travel must be either declined or passed on to the ESD for use for future ESD travel. For example, if the hotel where the employee is staying gives the employee a free night's stay on a future visit, this must be

¹ The term spouse includes domestic partners.

² Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

³ The ESD could establish a fee schedule that would allow only ESD employees to pay for the personal use of the ESD fax machines. If the ESD established a fee schedule for the use of fax machines the fee schedule must be equal to or exceed the prevailing rates offered at commercial businesses.

declined or given back to the ESD for future ESD travel. The frequent flyer miles earned when traveling on official ESD business can only be used for ESD travel. If the employee's spouse is traveling with the employee, the employee is responsible for all additional charges (i.e., additional room charge).

2. Employees may not use personal credit cards for ESD travel or other ESD business and receive incentives such as cash reimbursements, frequent flyer miles and other benefits based upon the dollar amount of purchases made.
3. Employees may not use discounts offered by private companies for the employee's personal benefit if the discount is only offered because of the employee's official position. For example, an office supplies store provides all teachers a 10 percent discount. Because the teachers are receiving this discount only because of their official position, they cannot use the discount to purchase personal items. Teachers may use the discount to purchase items for ESD use. Employees can also accept the discount if it is also available to a substantial segment of the population who are not public officials.
4. Employees may accept free passes to ESD extracurricular events if they are attending these events in their official capacity (i.e., chaperoning, ticket sales or managing concession sales). In order to promote employee participation in extracurricular activities, the ESD may include free passes in employees' official compensation packages or employees may be reimbursed by the ESD for the cost of admission.
5. The employee's ESD position is not to be used to take official action that could have a financial impact on a private business with which the employee, a relative or member of the employee's household are associated. For example, if your brother owns a pest-control business which is seeking a contract with the ESD, and the employee is a part of the decision making process, the employee must declare an actual conflict of interest in writing, describing the nature of the employee's conflict, and provide this to the employee's supervisor.
6. Confidential information gained as an ESD employee is not to be used to obtain a financial benefit for the employee, a relative or member of the public official's household or a business with which any are associated. For example, you should not use the information that a student in your class is falling behind in math to provide the parents a referral to your sister's tutoring business.
7. ESD employees who mentor student teachers may not receive direct payments from sponsoring colleges or universities. The payment may be provided by the college or university to the ESD, which can then distribute the compensation to the teachers as an element of their official compensation package.
8. ESD employees must follow Oregon Government Ethics Commission guidelines for outside employment if the employee acts as a chaperone for student group trips on personal time and the ESD employee accepts compensation in the form of travel expenses from a private business or organization. Specifically, ESD employees must conduct all activities related to the trip on personal time and cannot use the classroom or school environment to plan the off-campus trip. Employees may use ESD facilities for this purpose only if they comply with the ESD's public use of facilities policy. It is not an ethics violation for the employee to accept reasonable expenses for accompanying students on an education trip.

These restrictions do not apply if the teacher is chaperoning students on a fact-finding mission that is officially sanctioned by the Board.

Linn-Benton-Lincoln Education Service District
905 Fourth Ave. S.E.
Albany, Oregon 97321-3199

Report of Potential Conflict of Interest

This form must be completed and filed with the Assistant Superintendent when outside employment, including an honorarium, could involve a "public employee" in a potential conflict of interest. (Refer to ESD Policies and Procedures on Conflict of Interest, Code of Ethics)

EMPLOYEE NAME _____

TITLE _____

SECTION _____

1. DESCRIPTION OF OUTSIDE ACTIVITY (Include dates and nature of activity):

2. WHEN AND WHERE IS OUTSIDE ACTIVITY OR SERVICE TO BE RENDERED?

___ Normal working hours ___ Other (Specify) _____
___ Vacation time ___ In State
___ Leave without pay ___ Out of State

3. WOULD YOU NORMALLY RENDER THIS TYPE OF SERVICE TO THESE SAME CLIENTS AS PART OF YOUR JOB RESPONSIBILITIES WITH THE ESD?

(Is there a conflict of interest?) ___ Yes ___ No If yes, explain:

4. DOES THIS EMPLOYER HAVE ANY CONTRACTS, FEDERAL GRANTS, OR BUSINESS DEALINGS WITH ESD, THE STATE OF OREGON, OR THE FEDERAL GOVERNMENT?

___ Yes ___ No

Are there any federal funds involved? ___ Yes ___ No

If yes, have you had a part or role in negotiating, administering, or evaluating these activities with this employer?

___ Yes ___ No

If yes, please explain:

5. THE USE OF STATE PROPERTY, EQUIPMENT, AND/OR SERVICES FOR OTHER THAN ASSIGNED DUTIES IS PROHIBITED UNLESS APPROVED BY THE SUPERINTENDENT.

(List all property, equipment, and/or services you wish to use and when needed):

6. ARE YOU PROVIDING SERVICES AND/OR SUPPLIES FOR COMPENSATION TO ANY ORGANIZATION WITH WHICH THE ESD IS INVOLVED IN FINANCING OR ADMINISTERING PROJECTS OR PROGRAMS?

Yes No If yes, explain:

7. ARE YOU PROVIDING SERVICES AND/OR SUPPLIES PRIVATELY TO ANY ORGANIZATION TO ANY ORGANIZATION FOR WHICH YOU ARE REQUIRED TO PERFORM WORK AS AN OFFICIAL PART OF YOUR ESD-ASSIGNED DUTIES? Yes No If yes, explain:

Signature of Employee

Date

Signature of Program Administrator

Date

Approved by Superintendent

Date

Signature of Chief Human Resources Officer
(Acknowledging Receipt of Completed Form)

Date

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Directive to Refrain from Certain Activities

At the discretion of the Superintendent, this form may be completed and filed with the Assistant Superintendent when outside employment, including an honorarium, could involve a "public employee" in a potential conflict of interest, and the employee has filed a Report of Potential Conflict of Interest. (Refer to ESD Policies and Procedures on Conflict of Interest, Code of Ethics.)

EMPLOYEE NAME _____

NATURE OF POTENTIAL CONFLICT OF INTEREST: _____

This matter having come to the attention of the Linn-Benton-Lincoln Education Service District, the above employee is hereby directed to refrain from the following activities:

Signature of Superintendent Date

Signature of Chief Human Resources Officer Date
(Acknowledging Receipt of Completed Form)

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Report on Disposition of Potential Conflict of Interest Report

This form must be completed and filed with the Assistant Superintendent when outside employment, including an honorarium, could involve a "public employee" in a potential conflict of interest, and the employee has filed a Report of Potential Conflict of Interest. (Refer to ESD Policies and Procedures on Conflict of Interest, Code of Ethics)

EMPLOYEE NAME _____

NATURE OF POTENTIAL CONFLICT OF INTEREST:

This matter having come to the attention of the Linn-Benton-Lincoln Education Service District, it is hereby disposed of in the following manner:

Signature of Superintendent Date

Signature of Chief Human Resources Officer Date
(Acknowledging Receipt of Completed Form)