

ADMINISTRATIVE POLICY 3.14
CONTRACTOR CODE OF CONDUCT

(1) GENERAL GUIDELINES

(a) While the district understands that its contractors are separate entities, the business practices and actions of a contractor or its subcontractors, employees, or agents affect MPS. All entities that contract with MPS, without exception, are expected and required to abide by the Contractor Code of Conduct (“Code”) described within this policy.

(b) The contractor shall indemnify and hold harmless Milwaukee Public Schools with regard to any violation of this policy.

(2) APPLICABILITY

(a) All contractors are expected to conduct any and all business affiliated with MPS in an ethical and responsible manner that fosters integrity and public confidence.

(b) A “contractor” is any individual, organization, corporation, sole proprietorship, partnership, nonprofit, joint venture, association, or any combination thereof that is pursuing or conducting business with and/or on behalf of MPS, including, without limitation, consultants, suppliers, manufacturers, and any other vendors, bidders, or proposers. Unless explicitly stated otherwise, “contractor” shall also include any subcontractors, employees, agents, or anyone else who acts on a contractor’s behalf.

(c) The Milwaukee Board of School Directors reserves the right to modify this Code at any time in its sole discretion. MPS will notify contractors of any such revisions. All contractors should review the Code any time they are notified of revisions, and no less than annually when no revisions are made, and agree to comply with the requirements at all times.

(d) A review of the extent to which a contractor honored the obligations under this policy shall be used as a factor in determining whether the contract may be renewed and whether a contractor remains in good standing for future opportunities to partner with the district.

(3) APPROPRIATE CONDUCT

(a) Milwaukee Public Schools is committed in all areas to providing an environment that is free from discrimination, harassment, and bullying. Contractors are prohibited from engaging in activity that constitutes discrimination, harassment, including sexual harassment, or bullying:

1. Discrimination based upon an individual’s sex, race, ethnicity, national origin, age, religion, or any other legally protected characteristics is illegal and will not be tolerated.
2. Harassment based upon an individual's sex, race, ethnicity, national origin, age, religion, or any other legally protected characteristics is illegal and will not be tolerated. This includes any microaggressions, offensive conduct, offensive speech, or the display of signs, symbols, or objects that are offensive in nature. MPS also prohibits any contractor from harassing an individual for any reason, including, but not limited to gender identity and expression, socioeconomic status, physical appearance and characteristic, and sexual orientation.
2. Sexual harassment includes, but is not limited to, implicit or explicit unwelcome advances, physical contact, or displays of graphic materials or gestures.

3. Bullying is deliberate or intentional behavior using words or actions intended to cause fear, humiliation, intimidation, harm, or social exclusion. MPS also prohibits any contractor from bullying an individual for any reason, including, but not limited to gender identity and expression, socioeconomic status, physical appearance and characteristic, and sexual orientation.

(b) Contractors are expected to follow all relevant City Ordinances and State Statutes including, but not limited to, the prohibition of the possession of weapons while on MPS property.

(4) APPROPRIATE INTERACTION WITH STUDENTS

a) MPS is committed to providing an environment conducive to the physical, mental, social, and emotional well-being of students while they are participating in school activities. Therefore, contractors who interact with students will maintain appropriate adult/child relationships.

1. Contractors are prohibited from engaging in activity that constitutes discrimination, harassment, sexual harassment, or bullying as defined above.
2. Contractors shall not commit any abusive act or sexual exploitation with, to, or in the presence of a student, whether or not that student is or has been under the care or supervision of that contractor, as defined below:
 - a. Any use of inappropriate language that is considered profane, vulgar, or demeaning.
 - b. Any sexual act.
 - c. Any solicitation of a sexual act, whether written, visual, verbal, or physical.
 - d. Any act of child abuse, as defined by law.
 - e. Any act of sexual harassment as defined above.
 - f. Any intentional solicitation, encouragement, or consummation of a romantic or physical relationship with a student, or any sexual contact with a student. The term "romantic relationship" shall include dating a student. This clause applies regardless of whether the student considers the act/s to be consensual.
3. No contractor is authorized to issue or inflict punishment of any kind upon any student.

(5) REPORTING VIOLATIONS

(a) All Milwaukee Public School officials, chiefs, directors, and managers must report any suspected violations of this policy upon becoming aware of such activity within the Milwaukee Public Schools. Failure to report any of the activities noted above may subject the employee to disciplinary action, including — but not limited to — discharge from employment.

(b) All other employees may report any such instances.

(c) Information about suspected violations of this policy may be reported to the Senior Director, Office of Accountability and Efficiency or to the Superintendent.

(d) No one who makes a good-faith report under this policy (or who cooperates in inquiries or investigations) shall suffer harassment, retaliation, or adverse employment consequences.

(6) INVESTIGATIONS

(a) The Senior Director of the Office of Accountability and Efficiency and the Superintendent (or their designees) shall collaborate to investigate the reported violation in accordance with established procedure. The determination shall be based on a reasonable interpretation of the evidence.

(b) A contractor may appeal the determination to the Milwaukee Board of School Directors by submitting their appeal in writing to the Board Clerk/Chief Officer, Office of Board Governance. Appeals shall be considered in accordance with established procedure.

(d) The Board's determination in all matters relative to this policy shall be final.

(7) MONITORING AND EVALUATION

(a) All contracts shall incorporate this policy by reference as binding terms upon the contractor.

(b) This policy shall be reviewed for effectiveness and relevance to the present mission of the district every five years.