



The Voice of Ethics Podcast Transcript

September 2025 Episode

Detention! Public Schools, Public Transgressions

Susan: Hello ethical people. I'm Susan Willeke of the Ohio Ethics Commission, welcoming you to the Voice of Ethics, the podcast where we dive deep into stories about ethics in government. Well, sometimes ethics in government...sometimes the lack thereof.

And this week, we're celebrating that time of year that kids often hate and parents often love. The school year is back. *school bell ringing, school yard chatter sound effects* Yes, it's September and the school year is already well underway. First, a huge shout out to all the teachers, administrators, faculty, staff, and everyone else who tirelessly and selflessly give of their time and their talent for kiddos all over the Buckeye State.

We have a few stories in education this week that might make you shake your head, but I hope most of all will make you want to check out our website if you ever have questions about public school districts, education, and the Ohio Ethics Law.

Our first issue today is about tutoring. So something that you would think would normally be outside the normal classroom hours. So this comes to us from a school district employee who wanted to know if it's, quote, unethical and/or illegal for a music teacher to do any of these things, here's the first one: mandate private music lessons as a course requirement for students. Force the students to sign up for privately paid music lessons that the teacher gets money from. *trumpet fanfare that sputters out and goes flat sound effect* Um...yes. That's illegal. Okay?

Secondly, would it be unethical or illegal for the music teacher to advertise private music lessons to his or her students and their parents? *trumpet fanfare that sputters out and goes flat sound effect* We don't even need multiple choice here, folks. Yes, that is illegal. No can do.

The final question: would it be unethical for that music teacher to charge his or her students for private music lessons during the teacher's regular contracted school day? So let's say, for example, I get a lunch break as a teacher, or I have a planning period where normally I'm grading papers or doing my planning, and I want to know, can I tutor a student there on the grounds during that workday? *sad trombone sound effect* If you see a pattern here erupting, you are right on board with us. Yes, that would be illegal.

Not to suggest that all tutoring opportunities are illegal. But, no, not if it's already an expected part of my duties. I can't advertise it. I certainly can't require it as part of class curriculum for students. I can't if it's a school sponsored program, I certainly can't tutor during the school day if I, the teacher, am already being paid during those hours during the contracted day. We could certainly spend a lot more time going into much more detail here, but what I would recommend is that if you have more questions, please check out the resource in the show notes that we have; I created a resource a few years ago, I like to call it the Ethics 101 Toolkit for School Districts. It kind of breaks down the Ethics Law specifically as it relates to public school districts. Not to say that there's always things going awry, but simply that questions could arise that are more specific to that particular public entity that may not arise as often in others. We really tried to make a resource that is helpful. Please check it out. It's in the show notes.

Our next story is about a school superintendent. Context: it is completely normal and routine that school superintendents must submit lists of certified substitutes for every school year to the school board, right?

That if we have a teacher who calls off sick or breaks an ankle, or is taking care of an aging parent or a child who's ill at home, that he or she calls off, we have this list of substitutes that we can call on. I would have to, as a superintendent, submit to that to the board and say, these are the folks we're going to use. That's really normal.

Here's what happened in this situation, this happened right here in Ohio, that we had a school superintendent that at least seven school years he submitted that list of certified substitutes to the board, and those lists all included his own daughter.

In all fairness, the superintendent later acknowledged, yes, I didn't realize at the time but this was against the law. I promise I'll never do it again. And in his defense, he wasn't the person who would actually contact substitutes when a teacher, let's say, called off sick. It's not as if he was calling his daughter first and saying, "Hey, before we call anybody else, do you want a chance to make some extra money today?" She was simply part of the larger group of substitutes. She wasn't singled out. Her subbing wasn't disproportionate to the others. He didn't even supervise the substitutes.

But at the end of the day, we've talked already in past trainings about the need, the mandate for recusal, not just signing off on the final who makes the call, but even getting that approved by the board was problematic under the Ethics Law.

Now, those first two stories dealt solely with public school districts. You know, you think of like elementary, middle school, high school. Next, I want to dive into the world of higher education but we're going to go outside Ohio for this. I want to play for you a recording, a conversation I had with my colleague, counterpart, I guess you could say, Mark Wasielewski is the Ethics Enforcement Officer for the state of Connecticut's Ethics Commission. He has a pretty interesting story about someone in higher education using her public role to really, let's say, play some havoc when it comes to education. I'll give the floor now to my buddy Mark.

Mark: The respondent was an employee of the university graduate school. She was the diversity officer, and one of her duties was to administer the nomination and selection process for a particular fellowship. The fellowship was awarded annually to the cream of the crop who would be coming into the university as PhD students. Right. So this was the university's opportunity to roll out the red carpet for the best students that they were taking from, hopefully, Harvard and Yale, and enticing them to come to the state university.

So this this is what the fellowship winners would receive: free tuition, cash, stipend, a student job - basically benefits that annually would surpass \$60,000 per student. Not bad.

The thing is, though, is that there's a nomination process. There's a selection process, and it's only open up to PhD students. The respondent who administered this process went through and administered it just as she normally would, and they picked out winners. Except, after the selection process, the nomination selection process and the awarding, she added her husband to the list of individuals who would received the fellowship.

Now her husband, who was a graduate student, was not a PhD candidate. He was nominated by no member of the faculty and he didn't go through the selection process. She literally just added his name. And because she facilitated and maintained the entire process, she set him up with a job. She supervised him. She signed off on the awarding of the stipend and the, I guess you can call it, the fellowship itself.

Susan: Okay. Is anybody else out there a little bit speechless? I mean, just do the review here. I know we're not allowed to use the phrase cliff notes or SparkNotes when we're talking about schools, right? But let's just review quickly. Free tuition, a cash stipend, a campus job, all totaling \$60,000 a year. And his

wife oversaw the process, added her husband's name to it at the university. Signed off on it. She knew perfectly well her husband was not qualified for that position, so she attempted to bypass the process altogether.

Now, lest I lead you astray accidentally, let's be clear: even if her husband had been qualified for that fellowship, she still wasn't allowed to participate directly or indirectly. She still would have been required to recuse herself.

I admit, one of the first things we would have to look at, if we had received a question like this in Ohio, would be: can she recuse? It may seem like a moot point to say, did she recuse if she couldn't in the first place. Is it possible for, in this situation, this person to say, yes, I can step away from everything - discussions, decision making. If she cannot, if the university were to say no, that's your job, you can't recuse from this. Then, no, even if her husband had been qualified, he could not have received that fellowship. Of course, we know in this case he wasn't even qualified, which does make it even more egregious.

Now, I have to appeal to your visceral sensibility here. For the university or college that you attended, for the one that's in your community, the one that your kids attend, would an activity, a situation like this, increase or decrease your trust in that university's decisions, how they spend money, moving forward on projects, processes? The whole point of the Ethics Law is to assure people in the public that people in government are not going to use their public positions to benefit themselves, their families and outside business interests.

school bell ringing, school yard chatter sound effects So there you have it. For this week, our educational stories of how to not do things under the Ethics Law to kick off the school year. So whether you work at a school district, you have school aged kids, or you're just curious how the Ethics Law can show up in a classroom, I hope this episode was, well, let's just say it, educational. *off key trumpet fanfare sound effect*

For your homework this week be sure to check out our show notes for more information and be sure to join us again in two weeks, when we will take a trip to the Big Apple for some stories about the Ethics Law and Broadway.

Until then, I leave you with this piece of ethical school trivia. What animal doesn't deserve straight A's in school? A cheetah, of course. Take care everybody. Be ethical. Bye bye.