

**SCHOOL BOARD OFFICER AND EMPLOYEE ETHICS**

The Board of Education recognizes that sound, ethical standards of conduct serve to increase the effectiveness of school board members and their staff, as educational leaders in their community. Actions based on an ethical code of conduct promote public confidence and the attainment of district goals. The Board also recognizes its obligation to set forth a code of ethics under the provisions of the General Municipal Law.

Specifically, students and parents are discouraged from giving personal gifts to district employees. All appropriate means should be used, particularly at traditional gift-giving times, to encourage students and parents to express their positive feelings by means other than gift-giving (e.g., writing of letters or notes of appreciation to staff members and/or supervisors, contributing to a worthy cause, etc.).

The Board therefore adopts the following code of ethics regulations.

Cross-ref: 1800, Gifts to School Personnel

Ref: General Municipal Law §§806-808

Note: Policy added

[The General Municipal Law requires all Boards of Education to adopt a written Code of Ethics for their officers and employees.]

Adopted: 11/12/70

Amended: 11/14/74, 9/12/78, 12/14/95, 6/10/99, 2/15/06

**SCHOOL BOARD OFFICER AND EMPLOYEE ETHICS REGULATION**

Pursuant to the provisions of Section 806 of the General Municipal Law and Board Policy 2160, the Board of Education promulgates these rules of ethical conduct for the officers and employees of the school district. These rules shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law or the opinions issued by the comptroller of the State of New York relating to ethical conduct and interest in contracts by municipal officers and employees.

Specifically, students and parents are discouraged from giving personal gifts to district employees. All appropriate means should be used, particularly at traditional gift-giving times, to encourage students and parents to express their positive feelings by means other than gift-giving (e.g., writing of letters or notes of appreciation to staff members and/or supervisors, contributing to a worthy cause, etc.).

***Definitions***

1. "Officer or Employee" means an officer or employee of the district, whether paid or unpaid, including members of the Board of Education, and their professional or nonprofessional staff and appointees.
2. "Interest" means a direct or indirect pecuniary or material benefit accruing to a school district officer, employee of the district or individual consultant retained by the district, where such benefit occurs as a result of a contract with a third party entered into by the district.

***Standards of Conduct***

Every officer and employee of the district shall be subject to and abide by the following standards of conduct:

1. *Gifts:*

Under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her or could reasonably be expected to influence her or him, in the performance of his or her official duties or was intended as a reward for any official action on her or his part, an officer or employee shall not accept or receive gifts whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form.

Students, parents and community members wishing to honor or recognize members of the District's faculty, staff or Board of Education are encouraged to consider one of the following options. Donations to the Hewlett-Woodmere Public Schools Student Opportunity Fund to support deserving students can be made "in the name of" an individual or group. The Student Opportunity Fund assists students, in need of financial support, to be able to participate in school sponsored activities, clubs and events. In addition, contributions may be made to a scholarship fund or to the Hewlett-Woodmere Educational Foundation in the name of an individual or group.

In the event that an employee receives and accepts a gift from a student, a parent, a class group, or a member of the community, of any value, he or she must file a written report with his or her supervisor. An employee may accept a gift to avoid embarrassment or insult but must also explain the conditions of this policy to the student, parent, class group or community member. Employees should encourage other means of expressing positive feelings in the future.

All written reports will describe the gift, its estimated value, the circumstances associated with the receipt of the gift and confirmation that the employee reviewed the conditions of this policy with the person(s) giving the gift. Supervisors will submit a summary of all gifts received by employees and a copy of all written reports to the Assistant Superintendent for Business on or before July 5 of each year.

Ceremonial gifts such as recognition plaques, service awards and flowers (presented at the conclusion of an event or performance) may be accepted by employees.

In the event that a parent or community group provides a gift to a classroom, program or school the District's Policy 1800: Gifts from the Public shall govern acceptance.

In the event that an employee receives a gift from a student, a parent, or a class group, with a value in excess of \$75.00, or such ceiling as may be established by amendment to NYS General Municipal Law, Sec. 805-a(1)a, he or she should consult with his or her supervisor to determine appropriate action in order to avoid embarrassment or insult and to meet the conditions of this policy. The employee should explain the conditions of this policy to the student, parent, class group or community member and encourage other means of expressing positive feelings in the future. Employees shall not keep a gift for personal use or possession with a value in excess of \$75.00 unless specifically authorized to do so, by written permission, of the Superintendent.

**Employee to Employee Gifts**

District employees have traditionally collected funds to present to a limited number of support employees in their buildings. Staff members who wish to contribute to a gift for another employee may do so according to the following limitations: The gift must be given in the name of all employees in the building regardless of the amount contributed by any one individual. Contributions will be voluntary. Normally, only one gift will be presented in each calendar year.

A report describing this gifting activity will be filed with the Superintendent and the Assistant Superintendent for Business prior to the collection of the funds to determine that the gifting is free of any obvious intent to inappropriately influence the recipient in the performance of her or his duties.

The District recognizes that employees and their families form personal friendships and relationships that extend beyond the sphere of work. Under such circumstances, employee to employee gifts are allowed as part of the celebration of specific events and occasions such as birthdays, weddings, births, anniversaries, and special holidays.

A gift from an employee to his or her administrator or supervisor or a member of the administrator or supervisor's immediate family member shall be disclosed by the administrator or supervisor in a brief, written report sent to the Superintendent and the Assistant Superintendent for Business. Gifts given to and received by the Superintendent will also be disclosed in a report to the Board of Education.

Notwithstanding all of the above, employees are encouraged to consider making contributions to student scholarships or donations of books and supplies in honor of another employee.

2. *Confidential information:*

An officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he/she shall not disclose information regarding any matters discussed in an executive session of the Board whether such information is deemed confidential or not.

3. *Representation before the Board:*

An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district.

4. *Representation before the Board for a contingent fee:*

An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district, whereby the compensation is to be dependent or contingent upon any action by the school district with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

5. *Disclosure of interest in matters before the Board:*

To the extent that he or she knows thereof, a member of the Board of Education and any officer or employee of the district, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter.

6. *Investments in conflict with official duties:*

An officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.

7. *Private employment:*

An officer or employee shall not engage in, solicit, negotiate for or promise to accept private interests when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

8. *Future employment:*

An officer or employee shall not, after the termination of service or employment with the Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or

suit against the district on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

9. *Prospective Employees - Disclosure of Relationships:*

It is the policy of the school district that candidates be considered solely on qualifications. However, an officer or administrator shall make full disclosure of any relationship to a candidate prior to approval.

***Distribution of Code of Ethics***

The Superintendent shall cause a copy of the Board's Code of Ethics and this accompanying regulation to be distributed to every officer and employee of the Hewlett-Woodmere Union Free School District. Each newly elected or appointed officer and employee shall be advised of this policy and its regulations at the time he or she begins employment and/or service. In addition, a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers and employees.

***Penalties***

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's Code of Ethics and its accompanying regulation may be disciplined, fined, suspended and/or removed from office or employment, as the case may be, in the manner provided by law.

Ref: General Municipal Law, Article 18

Note: Prior regulation, 1313.1, revised

Approved: 11/22/76

Amended: 11/28/78, 12/14/95, 6/10/99, 2/15/06

**SCHOOL BOARD OFFICER AND EMPLOYEES ETHICS EXHIBIT\***

*As a member of my Board of Education, I will strive to improve public education, and to that end I will:*

attend all Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;

render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent;

communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;

maintain familiarity with educational issues through study and participation in programs providing needed information, such as those sponsored by state and national school boards associations;

support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;

avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;

take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law; and

remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

**Amended: 6/10/99**