

**SCHOOL BOARD OFFICER, MEMBERS, AND EMPLOYEE ETHICS****(X) Required****( ) Local****( ) Notice**

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer or employee may call into question the integrity of the management or operation of the school district. 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 adopt a code of ethics setting forth the standards of conduct required of all Board of Education members, officers and employees of the district under the provisions of the General Municipal Law. Therefore, every Board of Education member, officer and employee of the School District, whether paid or unpaid, shall adhere to the following code of ethics.

**CONFLICTS OF INTEREST**

It is a conflict of interest for a Board member, officer or employee to benefit personally from contracts made in their official capacity.

- “*Contract*” is defined broadly to include any claim, account or demand against or agreement (express or implied) with the district which exceeds the sum of \$750.00 in any fiscal year.
- An “*interest*” is defined as a direct or indirect pecuniary or material benefit accruing to an officer or employee as the result of a contract with the district.

No Board of Education member, officer or employee shall have an “*interest*” (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls five percent (5%) or more of the stock;
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract.

In addition to the above statutory conflicts of interest, there are instances where a conflict of interest or an appearance of impropriety may arise that is not expressly set forth in the law. Board of Education members, school district officers and all employees of the School District must avoid any situations that create a conflict of interest or give the appearance of impropriety. In the event a Board of Education member, officer or employee of the School District is concerned that a conflict of interest or appearance of impropriety exists, he/she will refer said concern to the Board of Education President or the Superintendent of Schools. The Board of Education President or Superintendent of Schools will consult with the School District’s attorney for advice and counsel concerning the inquiry.

1. **Gifts:** A Board member, officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$75 or more from any group, entity, or individual whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties, could reasonably be expected to influence him or her in the performance of official duties, or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature or of insignificant financial value may be accepted in the spirit in which they are given.

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.

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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.

Employee to Student Gifts: Staff members are prohibited from giving gifts to students except gifts which have nominal value. Notwithstanding the foregoing, notes of recognition from staff members to students are encouraged.

2. **Confidential Information:** A Board member, 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 or Audit Committee whether such information is deemed confidential or not. All discussions held in a properly convened executive session shall be deemed confidential and may not be disclosed unless the majority of Board of Education members deems disclosure to be appropriate.
3. **Representation before the Board or District:** A Board member, 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:** 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, to the extent that he or she knows of, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest they or their spouse have in such matter, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under §803(2) of the General Municipal Law. The term “interest” is defined above.
6. **Investments in conflict with official duties:** A Board member, 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. Exceptions to the conflict of interest law can be found in §802 of the General Municipal Law.
7. **Private Employment:** A Board member, officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment 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.
10. **Use of District Supplies, Materials, Equipment and Other Property:** No Board member, officer or employee shall remove or cause to be removed from premises owned, used or controlled by the District any supplies, materials, equipment or other property (excluding items required to carry out professional duties) which is owned, leased or otherwise under the dominion and control of the District, except as is authorized, in writing, by an officer or administrator of the district, as designated by the Superintendent of Schools.
11. **Promotion of Religious Beliefs:** Pursuant to the first amendment of the United States Constitution's mandate of separation of Church and State, a Board member, officer, or employee of the School District shall not use his or her position to promote religious beliefs.
12. **Personal Injury – Property Damage:** Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the District or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.
13. **Paid Tutoring by District Staff:** No professional or support staff member employed by the School District will provide remedial tutoring in any subject area for private payment (remuneration) for any student for which he/she has responsibility for in-school instruction. No professional or support staff member will solicit for the purpose of providing tutoring services.
14. **Gifts or Awards to Retiring Board Members, Employees and Volunteers:** The Board of Education may choose, from time to time, to acknowledge retiring Board of Education members and/or employees and/or to acknowledge the service of volunteers. The Board of Education may provide gifts which are nominal in value in connection with said acknowledgment.

#### **DISTRIBUTION OF CODE OF ETHICS**

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every member of the Board of Education, every officer and employee of the school district. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent of Schools shall ensure that 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 fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

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, 6/12/19