

BOARD MEMBER CODE OF ETHICS

Code **BCA** *Issued* **8/04**

Purpose: To establish the basic structure for ethical board conduct.

The public schools play a vital and important role in our state and country by providing the basic foundation for democratic living and for sustaining the American way of life. Therefore, school board membership represents a challenging responsibility. This code of ethics is adopted by the board as a guide to its members as they strive to render effective and efficient service to their community.

A board member should honor the high responsibility that his/her membership demands by doing the following.

- thinking always in terms of "children first"
- understanding that the basic function of a school board is policymaking, not administration, and by accepting the responsibility of learning to discriminate intelligently between these two functions
- accepting the responsibility along with his/her fellow board members of seeing that the maximum facilities and resources are provided for the proper functioning of schools
- refusing to play politics in either the traditional partisan or any petty sense
- representing, at all times, the entire school district
- accepting the responsibility of becoming well informed concerning the duties of board members and the proper functions of public schools
- recognizing responsibility as a state official to seek the improvement of education throughout the state

A board member should respect his/her relationships with other members of the board by doing the following.

- recognizing that authority rests only with the board in official meetings and that the individual member has no legal status to bind the board outside of such meetings
- recognizing the integrity of his/her predecessors and associates and the merit of their work
- refusing to make statements or promises as to how he/she will vote on any matter which should properly come before the board as a whole
- making decisions only after all facts bearing on a question have been presented and discussed
- respecting the opinion of others and graciously conforming to the principle of majority rule
- refusing to participate in irregular meetings such as secret or "star chamber" meetings which are not official and which all members do not have the opportunity to attend

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- maintaining the confidentiality of matters discussed in executive session

A board member should maintain desirable relations with the superintendent of schools and his/her staff by doing the following.

- striving to procure, when a vacancy exists, the best professional leader available for the head administrative post
- giving the superintendent full administrative authority for properly discharging his/her professional duties and holding him/her responsible for acceptable results
- acting only upon the recommendation of the superintendent in matters of employment or dismissal of school personnel
- having the superintendent present at all meetings of the board except when his/her contract and salary are under consideration
- referring all complaints to the superintendent and discussing them only at a regular meeting after failure of an administrative solution
- striving to provide adequate safeguards around the superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis
- presenting personal criticisms of any employee directly to the superintendent

Adopted 5/12/92; Revised 8/10/04

Legal references:

- A. School board members are under the jurisdiction of the " Ethics, Government Accountability and Campaign Reform Act," Section 8-13-100, et seq., S. C. Code, and are subject to rules of conduct of the statute.

Such rules include, but are not limited to, the following.

School board members

1. May not use their position or office for personal financial gain (Section 8-13-700).
2. May not receive compensation to influence action (Section 8-13-705).
3. May not receive additional money as payment for advice or assistance given in the course of their employment as a public official (Section 8-13-720).
4. May not use or disclose confidential information gained in the course of their responsibility as a public official (Section 8-13-725).
5. May not serve as a member or employee of a governmental regulatory commission that regulates any business with which they are associated (Section 8-13-730).
6. May not appear before the Public Service Commission or the S.C. Department of Insurance in rate or price-fixing matters (Section 8-13-740).

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7. May not enter into contract with a governmental agency or department which is to be paid in whole or in part out of governmental funds, unless the contract has been awarded through a process of public notice and competitive bidding and no official function regarding the contract has been performed (Section 8-13-775).
8. May not offer or give gifts or promises to members or employees of a governmental regulatory agency or department that regulates a business they are associated with (Section 8-13-705).
9. In cases where a potential conflict of interest exists, individuals shall take such steps as the Ethics Commission shall prescribe to remove oneself from the potential conflict of interest (Section 8-13-700).

No elected public official, regardless of compensation, and no appointed public official, regardless of compensation, shall hold office unless he/she has filed a statement of economic interest with the State Ethics Commission (even if a negative report). (Section 8-13-1110, S.C. Code.)