

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: <b style="text-align: center;">Duties of Individual Board Members	Descriptor Code: 1.106	Issued Date:
		Rescinds: 1.106	Issued: 7/17/08

1 The Board adopts this Code of Ethics as recommended by the Tennessee School Boards Association as
 2 a guide to its members as they provide educational leadership for the youth of our state. The Board further
 3 agrees that ethical issues regarding the Board or its members may be referred to the TSBA Ethics Advisory
 4 Council.
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6 **ARTICLE I. MY RELATIONS TO THE CHILDREN**

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- 8 Section 1. I will at all times think in terms of “children first,” always determining other
 9 important things according to how they affect education and training of
 10 children.
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- 12 Section 2. I will seek to provide equal educational opportunities for all children
 13 regardless of ability, race, color, sex, creed or location of residence.
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15 **ARTICLE II. MY RELATIONS TO MY COMMUNITY**

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- 17 Section 1. I will endeavor to appraise fairly both the present and future educational
 18 needs of the community and to support improvements as finances permit.
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- 20 Section 2. I will represent at all times the entire school community and refuse to
 21 represent special interests or partisan politics.
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- 23 Section 3. I will endeavor to keep the community informed about the progress and
 24 needs of the schools.
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26 **ARTICLE III. MY RELATIONS TO TEACHERS AND PERSONNEL**

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- 28 Section 1. I will support the employment of those persons best qualified to serve as
 29 employees and insist on a regular and impartial evaluation of all staff.
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- 31 Section 2. I will support and protect personnel in performance of their duties.
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- 33 Section 3. I will not criticize employees publicly but will make such criticism to the
 34 director of schools for investigation and action if necessary.
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ARTICLE IV. MY RELATIONS WITH OTHER BOARD MEMBERS

- Section 1. I will recognize that authority rests only with the Board in official meetings and that the individual member has no legal status outside of such meetings.
- Section 2. I will refuse to make promises as to how I will vote on a matter which should properly come before the Board as a whole.
- Section 3. I will make decisions only after full discussion of matters at a board meeting.
- Section 4. I will respect the opinion of other members and will accept the principle of "majority rule."

ARTICLE V. MY RELATIONS WITH THE DIRECTOR OF SCHOOLS

- Section 1. I will support full administrative authority as well as responsibility for the director of schools to properly discharge all professional duties.
- Section 2. I will support director of schools' accountability for working and requiring staff to work within the framework of policies set up by the Board.
- Section 3. I will refer all complaints and concerns to the director of schools.

ARTICLE VI. MY RELATIONS TO MYSELF

- Section 1. I will inform myself about my duties and responsibilities and current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations.
- Section 2. I will avoid being placed in a position of conflict of interest, and will refrain from using my board position for personal or partisan gain.

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Code of Ethics	Descriptor Code: 1.107	Issued Date: 7/17/08
		Rescinds:	Issued:

DEFINITIONS

- (1) "School district" means Hamilton County School District, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the school district or an official of the school district.
- (2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the school district.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

DISCLOSURE OF PERSONAL INTEREST IN VOTING MATTERS

An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

DISCLOSURE OF PERSONAL INTEREST IN NON-VOTING MATTERS

An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the school district's central office. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

ACCEPTANCE OF GIFTS AND OTHER THINGS OF VALUE

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district that a reasonable person would understand was intended to influence the vote, official action or judgment of the official or employee in executing decision-making authority affecting the school district.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of school board officials or by an

1 umbrella or affiliate organization of such statewide association of school board officials.

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3 **ETHICS COMPLAINTS**

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5 The school district may create a School District Ethics Committee (the "Ethics Committee") consisting of three
6 members who will be appointed to one-year terms by the Chairman of the Board of Education with confirmation
7 by the board of education. At least two members of the committee shall be members of the board of education.
8 The Ethics Committee shall convene as soon as practicable after its appointment and elect a chair and a secretary.
9 The records of the Ethics Committee shall be maintained by the secretary and shall be filed in the office of the
10 director of schools, where they shall be open to public inspection.

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12 Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing
13 ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed
14 by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint
15 is based.

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17 The School District Ethics Committee may investigate any credible complaint against an official or employee
18 charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires
19 information indicating a possible violation, and make recommendations for action to end or seek retribution for
20 any activity that, in the Committee's judgement, constitutes a violation of this Code of Ethics. If a member of the
21 Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving
22 such complaint.

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24 The Committee may:

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- 26 (1) refer the matter to the Board Attorney for a legal opinion and/or recommendation for action;
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- 28 (2) in the case of an official, refer the matter to the school board body for possible public censure if the board
29 body finds such action warranted;
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- 31 (3) in the case of an employee, refer the matter to the official responsible for supervision of the employee for
32 possible disciplinary action if the official finds discipline warranted;
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- 34 (4) in a case involving possible violation of state statutes, refer the matter to the district attorney for possible
35 ouster or criminal prosecution;
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38 The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and
39 enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel
40 policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service
41 provisions rather than as a violation of this Code of Ethics.

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