

The DeKalb County Board of Education, desiring to carry out its responsibilities in the most ethical and conscientious manner possible, adopts the following Board Member Ethics Policy.

**A. Board Member Code of Ethics**

The following Code of Ethics shall be binding on each Board member:

1. The fundamental role of the Board of Education shall be to establish effective policies for the governance of the District. Board members shall leave the administration of the District to the Superintendent and shall not interfere with the day-to-day operations of the District.
2. Board members shall make the educational welfare and academic achievement of the District's students their top priority.
3. Board members shall work with each other in a spirit of harmony and cooperation even when there are differences of opinion. Board members shall interact with each other in a respectful and professional manner. Disagreements among Board members shall be handled in a professional and non-confrontational manner.
4. Board members shall attend all Board meetings insofar as possible, shall review the Board packet provided by the Administration, and shall endeavor to be well informed before voting on an issue.
5. Board members shall be familiar with the Board policies in effect during their tenure in office.
6. Board members shall act in the best interest of the entire District and not a particular segment of the District.
7. Board members shall carry out the duties of their office in a fair and impartial manner, unswayed by partisan bias or special interest groups of any kind.
8. Board members shall base all decisions on the best available facts and data.

9. A local board of education shall not adopt or follow any code of ethics which prevents the members of such board from discussing freely the policies and actions of such board outside of a board meeting. This shall not apply to any matter or matters discussed in executive session or which are exempt from disclosure under Code Section 50-18-72.

10. Abide by all decisions of the board.

11. Board members shall not provide intentionally misleading information to other Board members, the Administration, or the public.

12. A Board member who shares pertinent information about an item of Board business with one or more Board members shall share the information with all Board members so all Board members can be equally prepared at Board meetings.

13. Board members shall recognize that the authority to make decisions, to commit the Board to actions, or to act for the District rests with the Board as a whole acting in legally convened meetings and not with individual Board members.

14. Board members shall bring community complaints to the attention of the Superintendent or his/her designee so that proper administrative channels may be followed to resolve the matter.

15. Board members who are asked to intervene with the Administration on behalf of a parent, employee, or other individual shall direct the individual to the proper administrative channel.

16. Board members shall direct any request for the assistance of School District personnel to the Superintendent.

17. Board members shall interact with the District's employees in a respectful and professional manner. Board members who disagree with a staff recommendation shall express such disagreement in a professional and non-confrontational manner.

18. Board members shall not disclose to anyone confidential or privileged information, including information discussed and documents distributed during executive session.

19. Board members shall participate in all training programs required by Board policy, state law, or the State Board of Education.

20. Board members seeking reelection shall not solicit financial or any other support from School District employees or vendors.
21. Board members shall not use School District resources for their own personal interests, nor shall they use School District resources for community programs without the approval of the Board.
22. Board members shall not use or lead others to believe they will use their influence to obtain employment, promotion, or business opportunities within the School District for any individual.
23. A Board member shall not vote or otherwise participate in discussions, deliberations or decisions in any student appeal, Fair Dismissal proceeding, employee discipline matter, or employee grievance involving a relative of that Board member.
24. Board members shall not accept any monetary fee or honorarium for a speaking engagement or for participating in a seminar, panel discussion, or other activity that directly relates to the official duties of the Board member or the Board member's office.
25. Board members shall comply with the state Open Meetings and Open Records laws.
26. Board members who are attorneys shall not represent clients in any action or proceeding against the School District or its employees.
27. A Board member shall not vote or otherwise participate in discussions, deliberations, or decisions on any contract or expenditure involving a business or entity in which the Board member or a relative of the Board member has a financial interest.
28. Board members shall not solicit or accept gifts, loans, gratuities, entertainment, transportation, lodging or meals, except those of value less than \$50.00, from any person or entity that, to their knowledge, is interested directly or indirectly in business dealings with the School District.
29. Board members shall abstain from voting on the employment or promotion of a relative. The vote on such a matter shall be conducted in public, recorded, and handled as a separate matter from any other personnel matter.
30. A Board member shall not vote or otherwise participate in

discussions, deliberations, or decisions on any matter in which a reasonable person would consider the Board member to have a conflict of interest.

31. Board members shall comply with the Board Member Conflict of Interest Policy set forth in Board Policy BHA.

32. Board members shall comply with the Administrative Regulation BH-R, Board Code of Ethics.

**B. Abstention**

Whenever a Board member is required by this policy to refrain from voting on a matter, the Board member shall fully disclose the reason for not voting to the other Board members and the public.

**C. Ethics Oath**

At the first meeting of each calendar year (or as soon thereafter as possible), all Board members shall publicly swear or affirm their commitment to comply with the Board Member Ethics Policy, as set forth in Board Policy BH, and the Board Member Conflict of Interest Policy, as set forth in Board Policy BHA. The Ethics Oath, which shall be in addition to the Board member's oath of office, shall read as follows.

**ETHICS OATH**

As a member of the DeKalb County Board of Education, I hereby swear or affirm my commitment to comply with the Board Member Ethics Policy, as set forth in Board Policy BH, Administrative Regulation BH-R, and the Board Member Conflict of Interest Policy, as set forth in Board Policy BHA.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**D. Definition of Relative**

As used in this policy, the term "relative" shall include the spouse, child, grandchild, sibling, and parent of a Board member; the child, grandchild, sibling, and parent of a Board member's spouse; and the spouse of a Board member's child, grandchild, sibling, or parent.

**E. Board Training**

Upon being elected, reelected, or appointed to the Board, Board members shall be required to attend a training program on the Board Member Ethics Policy and the Board Member Conflict of Interest Policy. Such training shall be completed within 90 days of taking office and shall be repeated every two years while the Board member is in office.

The training program shall last at least two hours and shall address appropriate Board member behavior, an explanation of the conduct prohibited by the Board Member Ethics Policy and the Board Member Conflict of Interest Policy, and a review of the procedures for enforcement of the Ethics and Conflict of Interest Policies.

The Board may contract with an institution of the University System of Georgia, the Georgia School Boards Association, or some other qualified agency, organization or individual qualified to perform such training. The cost of the training shall be paid by the School District.

#### **F. Enforcement of Ethics and Conflict of Interest Policies**

A Board member who believes in good faith that another Board member has violated the Board Member Ethics Policy or the Board Member Conflict of Interest Policy shall ask the Board Chair to convene an Executive Session of the Board. Upon such a request, the Board Chair shall convene an Executive Session to discuss or deliberate upon the possible disciplinary action of a Board member. At least ten calendar days' notice of the Executive Session shall be provided to all Board members. If no charges are to be brought and no hearing is to be held, the matter shall proceed no further.

Any vote to charge a Board member with a violation of the Board Member Ethics Policy or the Board Member Conflict of Interest Policy shall be taken in an open meeting and shall require the vote of a majority of the Board members present, provided a quorum is present. The Board member or members suspected of the violation shall not be permitted to vote on the matter.

If charges are brought against a Board member, the Board shall conduct a hearing on the charges. At least thirty calendar days' notice of the date, time, and place of the hearing shall be provided to all Board members. The accused Board member's notice shall be sent by certified mail to the address listed with the School District and by electronic means. The accused Board member shall be entitled to be represented by counsel at his/her own expense.

The parties by agreement may stipulate that some disinterested member of the State Bar of Georgia shall decide all questions of evidence and other legal issues arising in the hearing. At the hearing, both the Board and the accused may call and cross-examine witnesses. The burden of proof shall be on the Board to establish the alleged violation by a preponderance of the evidence. The hearing shall be open to the public while the Board is receiving evidence or hearing argument.

If the accused Board member is found to have committed the alleged violation, the Board shall be authorized to take any or all of the following actions:

- (1) Censure or reprimand the Board member;
- (2) Disavow the improper acts or statements of the Board member;
- (3) Require a public apology by the Board member;
- (4) Report the Board member to AdvancED (SACS) or the appropriate accrediting agency;
- (5) Initiate a civil action to recover the value of anything received by the Board member in violation of the Board Member Ethics Policy or the Board Member Conflict of Interest Policy;
- (6) If warranted by the evidence and findings, report the matter to law enforcement authorities for possible consideration of criminal charges against the Board member.

A vote by a two-thirds (2/3) vote of the Board members conducting the hearing shall be required to find that the accused Board member committed the alleged violation and to impose sanctions. The Board member or members charged with a violation shall not be permitted to vote on the matter. Any vote on the matter shall be taken in public.

policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**Note:** *The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example **enter 20-02-0211 in the search window** and the Georgia Code will appear.*

<b>State Reference</b>	<b>Description</b>
<a href="#">O.C.G.A 20-02-0049</a>	<a href="#">Standards for local board of education members</a>
<a href="#">O.C.G.A 20-02-0051</a>	<a href="#">Election of county board members; persons ineligible to serve</a>
<a href="#">O.C.G.A 20-02-0063</a>	<a href="#">Prohibit certain conflicts of interest of board members</a>
<a href="#">O.C.G.A 20-02-0072</a>	<a href="#">Code of ethics for local board of education members</a>
<a href="#">O.C.G.A 20-02-0073</a>	<a href="#">Removal of board members under certain circumstances</a>
<a href="#">O.C.G.A 36-80-1</a>	<a href="#">All meetings of governing bodies to be public; provide executive sessions; penalty</a>
<a href="#">Rule 160-4-9-.06</a>	<a href="#">Charter Authorizers, Financing, Management, and Governance Training</a>
<a href="#">Rule 160-5-1-.36</a>	<a href="#">Local School Board Governance</a>