

BOCES BOARD OFFICER AND BOARD MEMBER RESPONSIBILITIES

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Cooperative Educational Services (hereinafter “Board”) promulgates these rules of ethical conduct for the Board members, 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 relating to ethical conduct and interest in contracts by municipal officers and employees.

Definitions

1. “Officer or Employee” means an officer or employee of the Clinton-Essex-Warren-Washington BOCES, 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 financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the school district, or a lawful class of such residents or taxpayers. An officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization’s outstanding stock.

Standards of Conduct

Every officer and employee of the Clinton-Essex-Warren-Washington BOCES shall be subject to and abide by the following standards of conduct:

1. *Gifts:* He/she shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$75 or more, 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 or was intended as a reward to 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.

Nothing herein should be construed as prohibiting the traditional exchange of holiday gifts between officers or employees, provided discretion is used to ensure that gifts having a value of \$75 or more are not accepted by any officer or employee. Gifts from children that are principally sentimental in nature and have a value of less than \$75 may be accepted in the spirit in which they are given.

2. *Confidential Information:* He/she 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. *Disclosure of Interest:*
 - (a) Whenever a matter requiring the exercise of discretion comes before him or her, either individually or as a member of the Board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the officer or employee shall disclose in writing the nature of the interest.
 - (b) The disclosure shall be made when the matter requiring disclosure first comes before the officer or employee, or when the officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
 - (c) The disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the Board. Any disclosure made to the Board shall be made publicly at a meeting of the Board and must be included in the minutes of the meeting.
4. *Investments in Conflict With Official Duties:* He/she shall not invest or hold an investment directly in any financial, business, commercial or other private transaction that creates a conflict or would otherwise impair the person's independence of judgment in the exercise or performance of his or her official duties.
5. *Private Employment:* He/she 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.
6. *Future Employment:* An officer or employee shall not, after the termination of service or employment with the school district or Board, appear before the school district or 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.

Distribution of Code of Ethics

The District 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 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 District Superintendent 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.

Adopted May 14, 2014

BOCES BOARD OFFICER AND BOARD MEMBER RESPONSIBILITIES EXHIBIT*

As a member of my Board of Cooperative Educational Services, 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 District Superintendent;
- communicate to other Board Members and the District 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.

Board Member Signature

Date

* These guidelines are designed to reinforce the understanding of each Board Member's responsibilities.

Adopted May 14, 2014