School Board Member Code of Ethics

I. Purpose

This policy assists the individual school board member in understanding their role as part of a board and the contribution that each member must make to develop an effective and responsible board.

II. General Statement of Policy

Each school board member will follow the code of ethics stated in this policy.

A. ~~As a~~ Each member of the board~~,~~ I will:

1. Attend board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to other's opinions (e.g., board members, administration, employees, community members, students).
4. Vote ~~my~~ their conscience after informed discussion, unless ~~I~~ they abstain because a conflict of interest exists.
5. Support the decision of the board, even when ~~my~~ their position concerning the issue was different.
6. Recognize the integrity of ~~my~~ their predecessors and associates and appreciate their work.
7. Make decisions based on the available information and in the best interest of all students. This obligation supersedes (a) any conflicting loyalty to advocacy or interest groups; (b) loyalty based on membership on other boards; and (c) conflicts based on personal interest or the interest of any family member.
8. Be primarily motivated by a desire to provide the best possible education for students enrolled in ~~my~~ the school district.

9. Educate ~~myself~~ themselves about the proper duties and functions of a board member.

B. In performing their proper functions, ~~of a~~ each board member~~, I~~ will:

1. Focus on education policy as much as possible.

2. Remember that the board's responsibility is to promulgate policy – not to implement policy.

3. Consider ~~myself~~ themselves a trustee of public education and do ~~my~~ their best to protect, conserve, and advance its progress.

4. Recognize that ~~my~~ their responsibility, exercised through the actions of the board as a whole, is to see that the schools are properly run – not to run them ~~myself~~ themself.

5. Work through the superintendent – not over or around the superintendent.

6. Delegate the implementation of board decisions to the superintendent.

C. To maintain relations with other members of the board, ~~I~~each board member will:

1. Respect the rights of others to have and express opinions.

2. Recognize that authority rests with the board in legal session – not with the individual members of the board except as authorized by law.

3. Make no disparaging remarks, in or out of board meetings, about other members of the board or their opinions.

4. Maintain an open mind about how ~~I~~they will vote on any proposition until the board has met and fully discussed the issue.

5. Make decisions by voting at board meetings after all sides of debatable questions have been presented.

6. Insist that committees be appointed to serve only in an advisory capacity to the board.

D. In meeting ~~my~~ their responsibilities to ~~my~~ the district community, ~~I~~each board member will:

1. Attempt to appraise and plan for both the present and future educational needs of the district and its community.

2. Attempt to obtain adequate financial support for the district's programs.

3. Insist that the district's business transactions be ethical and open.

4. Strive to uphold ~~my~~ their responsibilities and accountability to the taxpayers in ~~my~~ the district.

E. In working with the superintendent of schools and staff, ~~I~~ each board member will:

1. Hold the superintendent responsible for the administration of the district.

2. Give the superintendent authority commensurate with ~~his or her~~ the responsibilities of that position.

3. Give the superintendent and staff adequate time to respond to board member questions, especially when preparing for a board meeting.

4. Ensure that the district will be administered by the best professional personnel available.

5. Consider the recommendation of the superintendent when hiring all employees.

6. Participate in board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.

7. Insist that the superintendent keep the board adequately informed at all times.

8. Offer the superintendent counsel and advice.

   Recognize the status of the superintendent as the chief executive officer and a nonvoting, ex officio member of the board.

9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole board for processing in accordance with district policy.

10. Present any personal criticisms of employees to the superintendent.

11. Provide support for the superintendent and employees of the district so they may perform their proper functions on a professional level.

F. In fulfilling ~~my~~ their legal obligations as a board member, ~~I~~ each board member will:

1. Comply with all laws relating to ~~my~~ their work as a board member.

2. Comply with all district policies as adopted by the board.

3. Abide by all rules and regulations as promulgated by state and federal agencies with jurisdiction over districts.

4. Recognize that district business may be legally transacted only in an open meeting of the board.

    a. The board may communicate outside an open meeting for scheduling and maintenance types of communications.

    b. Board social gatherings and educational training sessions without any discussion of district business do not violate the open meeting law or Minnesota Government Data Practices Act.

5. Avoid conflicts of interest and refrain from using my board position for personal gain.

6. Take no private action that will compromise the board or administration.

7. Guard the confidentiality of information protected under applicable law.

8. Conform to the same standards of judgment, propriety, and ethics for electronic communications, including email, as for other forms of ~~school~~ board-related communication.

    a. Board members will not use electronic communication as a substitute for deliberations at board meetings or for other communications or business properly confined to board meetings.

    b. Board members will be aware that electronic communications and electronic attachments received or prepared for use in board business or containing information relating to board business are likely to be regarded as public records, which may be inspected by any person upon request, unless made confidential by the law.

    c. Board members should avoid references to confidential information about employees, students, and other matters in electronic communications because of the risk of improper disclosure. Board members should comply with the same standards as district employees with respect to confidential information.

III. School Board Member Discipline

A. The school board will follow Minnesota law when addressing inappropriate behavior by a board member. The below processes pertain only to ~~board~~ member violations of district policies that are not dictated by Minnesota law, which follow a different district and legal process ~~(Ref. Policy 413)~~.

B. The board and each of its members are committed to faithful compliance with board policies. The board recognizes that its failure to deal with deliberate or continuing violations of its policies risks the loss of confidence in the board's ability to govern effectively. The purpose of these parameters and steps is to attempt to resolve any perceived violations at the lowest possible level, and involving the fewest number of individuals. In the event of such a violation, the board will seek remedy by applying any of the following measures, ~~: a conversation with a fellow board member; referring the concern to the board chair; referring the concern to the full board; potential removal from committees or leadership positions on the board; a statement on non-compliance regarding board policies from the board; censure from the board; and removal of the board member from the board;~~ or any other measures provided by law or determined appropriate by the board: ~~(see Appendix II).~~

1. Private conversation:

   If a board member perceives that a fellow member has violated the policies or commitments of the board, that member may address their concerns with the member who is perceived to be in violation.

2. Referral to board chair:

   The member may refer the concern to the board chair for resolution. If the chair believes there is a potential violation, then the chair will arrange a conversation in a private setting between the member in question and two members of the governance committee, if necessary

3. Discussion between the member in question and the full board:

   In the event of a perceived serious or continuing violation by the same member, any member of the board may request that the chair schedule a full ~~school~~ board discussion with the charged member. The charged member will receive advance written notice of the discussion, including a statement of the alleged violation.

4. Possible removal from any leadership or committee positions to which the member in question has been appointed or elected:

A member with repeated violations may be removed from any leadership or committee positions. To remove the charged member from a committee leadership or committee membership position, any member may request that the chair notify the charged member in writing of the scheduled ~~School~~ board discussion of removal. The charged member will be given an opportunity to respond to any concerns and will be removed only after discussion and only on majority vote of the members present.

5. Statement regarding compliance with board norms or policies:

   The board reserves the right to issue statements regarding the board's interpretation of its policies and any instances of individual member's noncompliance, after notice to the individual, discussion where the charged member has a right to respond, and vote by the majority vote of the members present.

6. Censure of board member:

   The board reserves the right to censure a member. A member may request that the board censure a member only after attempting to address an issue at lower levels. To censure a member, any member may request that the chair notify the charged member in writing of the scheduled board discussion of censure. The charged member will be censured only after being provided an opportunity to respond to the concerns and after discussion and only by majority vote of the board. The motion to censure will describe the member's actions that are the subject of the censure.

7. Removal of board member:

   Minnesota state law allows school boards to remove, for proper cause, any member or officer of the board and fill the vacancy. Such removal must be by a concurrent vote of at least four members at a meeting of whose time, place, and object the charged member has been duly notified, with the reasons for such proposed removal, and after an opportunity to be heard in defense against the removal.

C. In all cases, disciplinary actions should include the chair, unless the chair feels they must recuse themselves. If the chair is suspected of the violation or has recused themself, the concern would be referred to the board vice chair.

Legal References

Minn. Stat. § 123B.02, subd. 1 ~~School District Powers~~ General Powers of Independent School Districts: Board Authority

Minn. Stat. § 123B.09 ~~School Board Powers~~ Boards of Independent School Districts
Minn. Stat. § 123B.143, subd. 1 Superintendent: Contract; Duties

Cross References

None.

Policy

Adopted 04/16/2007
~~amended~~Revised 12/10/2012
Revised 11/19/2018
Revised 07/13/2020
Rev____ __/__/____

[Appendix terms incorporated into the policy and appendix deleted.]

~~Appendix I to Policy 209~~

~~Communications Guidelines~~

~~A. Communications Outside of Open Meetings~~

~~The school board may communicate outside an open meeting for scheduling and maintenance types of communications. School bBoard social gatherings and educational training sessions without any discussion of school district business do not violate the open meeting law or Minnesota Government Data Practices Act.~~

~~B. Electronic Communications~~

~~The use of electronic communications, including email, by school board members, will conform to the same standards of judgment, propriety and ethics as other forms of school board-related communication. Board members will comply with the following guidelines when using electronic communications in the conduct of board responsibilities:~~

1. ~~The school board will not use electronic communication as a substitute for deliberations at board meetings or for other communications or business properly confined to board meetings.~~

2. ~~Board members will be aware that electronic communications and electronic attachments received or prepared for use in board business or containing information relating to board business are likely to be regarded as public records, which may be inspected by any person upon request, unless made confidential by the law.~~

3. ~~Board members should avoid references to confidential information about employees, students, and other matters in electronic communications because of the risk of improper disclosure. Board members should comply with the same standards as school district employees with respect to confidential information.~~

~~Appendix~~

~~Revised 12/10/2012~~
~~Rev__ __/__/20__~~

[Appendix terms incorporated into the policy and appendix deleted.]

~~Appendix II to Policy 209~~

~~Process for Addressing Violations~~

~~1. Private conversation:~~

~~If a school board member perceives that a fellow member has violated the policies or commitments of the board, that member may address their concerns with the member who is perceived to be in violation.~~

~~2. Referral to board chair:~~

~~The member may refer the concern to the board chair for resolution. The purpose of this step is to attempt to resolve any perceived violations at the lowest possible level, involving the fewest number of individuals. If the board chair believes there is a potential violation, then the board chair will arrange a conversation in a private setting between the member in question and two members of the governance committee, if necessary~~

~~3. Discussion between the member in question and the full board:~~

~~In the event of a perceived serious or continuing violation by the same member, any member of the board may request that the chair schedule a full school board discussion with the charged member. The charged member will receive advance written notice of the discussion, including a statement of the alleged violation.~~

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~~A member with repeated violations may be removed from any leadership or committee positions. , to To remove the charged board member from a committee leadership or committee membership position, any member may request that the board chair notify the charged member in writing of the scheduled School board discussion of removal. ; the The charged member will be given an opportunity to respond to any concerns and will be removed only after discussion and only on majority vote of the board members present.~~

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In all cases, disciplinary actions should include the board chair, unless the board chair feels they must recuse themselves. If the board chair is suspected of the violation, the concern would be referred to the vice chair.

Appendix

CreatedAdopted 07/13/2020
Rev__ __/__/20__