

POSITIONS AND POLICIES ON EDUCATION

Code of Ethics

FILE CODE

9271

Board Member Ethics

The NJSBA believes that it is necessary and desirable to set forth a guide to conflict of interest situations and unethical activity for board members and suggests the following Code of Ethics for adoption by individual boards:

A CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

1. I will uphold and enforce all laws, state board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
2. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
3. I will confine my board action to policymaking, planning, and appraisal and I will help to frame policies and plans only after the board has consulted those who will be affected by them.
4. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.
5. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action which may compromise the board.
6. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
7. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.
8. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. I will support and protect school personnel in proper performance of their duties.
10. I will refer all complaints to the chief administrative officer and will act on such complaints at public meetings only after failure of an administrative solution. *[Authority: BD 2/71, DA 5/75-CR Ethics, BD 6/85, DA 5/97-7, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR]*

Penalty for Violation of Ethics Code

The NJSBA believes that the School Ethics Commission should be authorized to reprimand, censure or remove a board member for any violation of NJSBA's Code of Ethics for School Board Members. The rights of the accused board member should be balanced with the board's need for an orderly and efficient operation and shall include an expedited hearing process before the School Ethics Commission to ensure a decision within 60 days of receipt of notice of violation; indemnification for the accused board member for civil, administrative, criminal or quasi-criminal or other legal action for any act or omission arising out of and in the course of the performance of the accused board member's duties as a member of the board of education. The burden of proof should be placed on the accusing party, whether an individual or the board of education, to factually establish a violation of NJSBA's Code of Ethics. *[Authority: DA 5/75-CR Ethics, DA 5/97-7, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR]*

School Ethics Committee Advisory Opinions

The NJSBA believes the statutory language of *N.J.S.A. 18A:12-31* should be revised so that all ethics advisory opinions should be made public, unless the school official whose proposed conduct is the subject of the advisory opinion seeks to keep it private. *[Authority: DA 11/14-1]*

Cross References: 3530 Insurance management
9114 Resignation/removal from office
9250 Expenses
9270 Conflict of interest

Key Words: code of ethics, indemnification