

N.J.S.A. 18A:12-24 **Conflicts of interest**

a. No school official or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;

b. No school official shall use or attempt to use his official position to secure unwarranted privileges, advantages or employment for himself, members of his immediate family or others;

c. No school official shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his objectivity or independence of judgment. No school official shall act in his official capacity in any matter where he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family;

d. No school official shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;

e. No school official, or member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the school official has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the school official in the discharge of his official duties;

f. No school official shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

g. No school official or business organization in which he has an interest shall represent any person or party other than the school board or school district in connection with any cause, proceeding, application or other matter pending before the school district in which he serves or in any proceeding involving the school district in which he serves or, for officers or employees of the New Jersey School Boards Association, any school district. This provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities;

h. No school official shall be deemed in conflict with these provisions if, by reason of his participation in any matter required to be voted upon, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group;

i. No elected member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of his immediate family, whether directly or indirectly, in return therefore;

j. Nothing shall prohibit any school official, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests; and

k. Employees of the New Jersey School Boards Association shall not be precluded from providing assistance, in the normal course of their duties, to boards of education in the negotiation of a collective bargaining agreement regardless of whether a member of their immediate family is a member of, or covered by, a collective bargaining agreement negotiated by a Statewide union with which a board of education is negotiating.

L.1991,c.393,s.4; amended 1995, c.14, s.2; 1999, c.256.

**N.J.S.A. 18A:12-24.1 Code of Ethics for School Board Members**

A school board member shall abide by the following Code of Ethics for School Board Members:

- a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
- b. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
- c. I will confine my board action to policy making, 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.
- d. 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.
- e. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.
- f. 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.
- g. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. 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.
- h. I will vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
- i. I will support and protect school personnel in proper performance of their duties.
- j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

L.2001, c.178, s.5.

## N.J.A.C. 6A:30-2.1 Requirement for Group 1 Certification

(a) A district board of education that meets standards for student performance and behavior is designated as a Group 1 school district. The county superintendent shall conduct a desk audit of all reports and documents submitted annually to the county office and shall conduct an abbreviated on-site visit to determine a district's compliance with:

1. Implementation of the requirements to develop curricula according to N.J.A.C. 6A:8-3.1;
2. Development of an annual plan to implement core curriculum content standards according to N.J.A.C. 6A:8-3.1;
3. Evaluation of tenured and nontenured staff and development of professional improvement plans according to N.J.A.C. 6:3-4.1 and 4.3;
4. Implementation of a multi-year comprehensive maintenance plan according to N.J.A.C. 6:24;
5. Implementation of a uniform system of double entry bookkeeping and Generally Accepted Accounting Principles (GAAP) according to N.J.A.C. 6A:23-2;
6. Implementation of controls to prevent the overexpenditure of any funds or yearly deficit in major accounts according to N.J.A.C. 6A:23-2.1;
7. Correction of annual audit recommendations according to N.J.S.A. 18A:23-1, et seq.;
8. Implementation of health and safety plans for all school buildings according to N.J.A.C. 6A:26-12 and 6A:19-10; and
9. Adherence to governance and management practices in accordance with N.J.S.A. 18A:12-21, et seq. and N.J.A.C. 6:3-1.3.

**N.J.A.C. 6:3-1.3 Requirements for the Code of Ethics for school board members and charter school board of trustees members**

(a) Each district board of education and charter school board of trustees shall:

1. Discuss the School Ethics Act and the Code of Ethics for School Board Members, pursuant to N.J.S.A. 18A:12-21 et seq., at a regularly scheduled public meeting annually;
2. Adopt policies and procedures regarding the training of district board of education and charter school board of trustees members in understanding the Code of Ethics; and
3. Provide documentation pursuant to (b) below that each member of the district board of education or board of trustees has received and reviewed the Code of Ethics.

(b) Each member of the district board of education or charter school board of trustees shall sign an acknowledgement of receipt of the Code of Ethics for School Board Members contained within N.J.S.A. 18A:12-21 et seq. This acknowledgement of receipt requires each district board of education member and charter schools board of trustees member to read and become familiar with the Code of Ethics.

Legal References

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BOARD OF EDUCATION MEETINGS

Monitored:

Indicators 1.1, 1.2, 2.3, 9.1

Other Reasons:

N.J.S.A. 10:4-6 et seq. requires the board to conduct its business at an open public meeting, with certain exceptions.

N.J.S.A. 18A:22-13 requires a public hearing of the budget.

N.J.S.A. 18A:23-5 requires the board to discuss the recommendations of the auditor at a public meeting.

N.J.A.C. 6:3-1.3(a) requires the board to discuss the School Ethics Act and the Code of Ethics for School Board Members annually at a regularly scheduled public meeting.

N.J.A.C. 6:8-2.1 lists the components of the quality assurance report that must be provided to the public annually at a regular board meeting.

N.J.A.C. 6A:30-2.4(c) requires that the board of a district in Level 1 monitoring, within 60 days of receipt of the written report, discuss findings of the evaluation team at a regular or special board meeting.

N.J.A.C. 6A:30-3.1(g) requires the board of a district entering Level II to discuss the findings of the external review team at a regular or special meeting within 30 days of formal notification.

Recommendation:

A policy to address the above requirements, and to direct the use of the regular board meeting as a primary channel of two-way communication. Public perception that the board is trying to exclude the community may damage the board's image or lead to litigation.

<u>Legal References:</u>	<u>N.J.S.A.</u> 10:4-6 <u>et seq.</u>	Open Public Meetings Act
	<u>N.J.S.A.</u> 18A:7C-7	School administrators report on students awarded or denied diplomas
	<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
	<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
	<u>N.J.S.A.</u> 18A:22-10	Fixing day, etc., for public hearing

Legal References (continued)

<u>N.J.S.A.</u> 18A:22-13	Public hearing; objectives; heard, etc.
<u>N.J.S.A.</u> 18A:23-5	Meeting of board; discussion of report
<u>N.J.A.C.</u> 6:3-1.3	Requirements for the Code of Ethics for school board members and charter school board of trustee members
<u>N.J.A.C.</u> 6:3-1.6	Reporting and staffing of school districts
<u>N.J.A.C.</u> 6:8-2.1	Quality assurance annual report
<u>N.J.A.C.</u> 6:8-2.2	School-level planning
<u>N.J.A.C.</u> 6A:8-5.2(e)	High school diplomas
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:30-2.4, -3.1	

Manual for the Evaluation of Local School Districts (September 2002)

Possible

<u>Cross References:</u>	*1100	Communicating with the public
	*2240	Research, evaluation and planning
	*3100	Budget planning, preparation and adoption
	*3570	District records and reports
	*3571.4	Audit
	*5131.5	Vandalism/violence
	*5145.5	Photographs of pupils
	*6142.2	English as a second language; bilingual/bicultural
	*6142.6	Basic skills
	*6171.1	Remedial instruction
	*6171.3	At-risk and Title 1
	*6171.4	Special education
	*9322	Public and executive sessions
	*9323/9324	Agenda preparation/advance delivery of meeting material
	*9326	Minutes

\*Indicates policy is included in the Critical Policy Reference Manual.

Sample Policy

BOARD OF EDUCATION MEETINGS

Board of education meetings shall be a primary means of sharing information with community members and inviting their comments and suggestions. Regular and special meetings of the board of education are open to the public and representatives of the media, except when, by resolution at the public meeting, the board excludes the public from those parts of a meeting which deal with matters held confidential in accordance with law.

The board welcomes participation of interested organizations and individuals and will schedule time as appropriate for the public to speak. The length of time scheduled for public discussion shall be stated in the agenda, together with any time limit proposed for individual speakers.

The board will not permit unnecessary or undesirable identification of district pupils at public or board of education meetings, particularly when the pupil is subject to disciplinary action, or has been identified as having a disability. A special confidential file shall be kept of the names of pupils with disabilities on whose behalf the board must take public action. An unidentifiable coding shall be used when referring to the pupil.

Comments and questions at the end of regular meetings may deal with any topic related to the board's conduct of the schools. Comments at special meetings must be related to the call of the meeting. Advance announcement of all regular, scheduled special, and specially called meetings of the board is made through newspapers and other appropriate media outlets.

The board shall include a discussion of the School Ethics Act and the Code of Ethics for School Board members annually at a regularly scheduled public meeting.

In a regular meeting by September 30 of each year, the chief school administrator shall report to the board the number of pupils graduated and the number of pupils denied graduation from the prior 12<sup>th</sup> grade class. This report shall include the number of pupils graduated under the special education and special review assessment procedures outlined in administrative code.

In a regular board meeting by October 30 of each year, the chief school administrator shall provide a quality assurance report which includes information on the following topics:

- A. Implementation of school-level plans;
- B. Achievement of performance objectives;
- C. Each school report card, including pupil performance results and student behavior data;
- D. Professional development activities;



In addition, the board shall conduct a public hearing in October to allow the chief school administrator to report to the board all acts of violence and vandalism that occurred during the previous school year. The proceedings shall be transcribed and kept on file by the board. The transcription shall be made available to the public.

E. Condition of school facilities;

F. Status of mandated program reviews;

G. Community support data as detailed in the administrative code.

Other items presented at board meetings must include, but are not limited to:

A. Presentation of audit report;

B. Presentation of budget;

C. Dropout statistics; other demographic data;

D. Mandated inservice programs.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Board of Education Meetings, Reporting to the Public, Communicating with the Public, Confidentiality

Legal References

ORIENTATION AND TRAINING OF BOARD MEMBERS

**Monitored:**

Indicator 9.1

**Mandated:**

N.J.A.C. 6:3-1.3(a) requires boards to adopt policies and procedures regarding board training in understanding the Code of Ethics for School Board Members, N.J.S.A.18A:12-24.1.

**Other Reasons:**

N.J.S.A. 18A:12-33 and N.J.A.C. 6A:28-1.6 require each newly elected or appointed board member to complete during the first year of his/her term a training program prepared and offered by NJSBA addressing the skills and knowledge necessary to serve as a local school board member.

N.J.S.A. 18A:17-20.3(b) requires NJSBA training of newly elected or appointed board members in superintendent evaluation within six months of commencing his/her term of office.

An amended resolution of the School Ethics Commission of March 1999 removes the previously allowed exemption from NJSBA training for new board members who have had prior service on a school board.

Any board member who has been on a board since June 1992 is "grandfathered."

**Recommendation:**

A bylaw clarifying for both the public and board members the necessity for spending public funds to train board members to fulfill their function as expertly as possible through initial training as required by law, and through continuing inservice development.

**Legal References:**

		<u>N.J.S.A. 18A:6-45</u>
	t through -50	New Jersey School Boards Association established ...
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:12-24.1</u>	Code of Ethics for School Board Members
	<u>N.J.S.A. 18A:12-33</u>	Training program for new board members
	<u>N.J.S.A. 18A:17-20.3</u>	Evaluation of superintendents; school board
training		program
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)

<u>N.J.A.C.</u> 6:3-1.3	Requirements for the Code of Ethics for school board members and charter school board of trustee members
<u>N.J.A.C.</u> 6:3-2.2	Annual evaluation of tenured and nontenured chief school administrators
<u>N.J.A.C.</u> 6A:28-1.2	Definitions
<u>N.J.A.C.</u> 6A:28-1.6	Board member training

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ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

Amended resolution of the School Ethics Commission (3/23/99)

**Possible**

**Cross References:** 1500 Relations between area, county, state, regional and national associations

and the district

\*2131 Chief school administrator

\*9250 Expenses

\*9271 Code of Ethics

\*Indicates policy is included in the Critical Policy Reference Manual.

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

The chief school administrator shall prepare materials to introduce new board members to the operating procedures of the district and the details of the curriculum.

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training in superintendent evaluation within the first six months after taking office, and an NJSBA new board member orientation within the first year of taking office.

Administrative code defines "newly elected or appointed board member" as any board member who has never served as a member of either an elected or appointed school board.

Code of Ethics Training

The board shall ensure that all members of the board receive and review a copy of the Code of Ethics for School Board Members. Each board member shall sign an acknowledgement that he/she has received and read it. Training as required by the administrative code shall be scheduled to familiarize board members with the contents and requirements of the Code of Ethics.

Inservice Development

State, regional and national workshops, conventions, conferences and seminars developed by associations such as the New Jersey School Boards Association, the National School Boards Association, the New Jersey Association of School Administrators, etc., provide unique opportunities for board members to broaden their understanding of their responsibilities, learn new tools and techniques for coping with them, and keep up to date on educational trends.

Therefore, the board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year. A maximum of \_\_\_\_\_ members may attend any such function held out-of-state.

The same regulations regarding travel arrangements and reimbursement developed for other district-paid attendance at such events shall apply.

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

The chief school administrator shall prepare a checklist for district representatives to such events, to aid them in preparing meaningful reports for the board and the district as a whole. The report shall be presented at a regular meeting of the board within a month of the delegation's return.

Date:

Legal References:

Use legal reference sheet.

Cross References:  
sheet for possibilities.

List your appropriate policies. See legal referer

Key Words

Orientation and Training of Board Members, Board Member Orientation, Board Member Training

**CRITICAL POLICY REFERENCE MANUAL**

**FILE CODE: 9270**

**Monitored**

**Mandated**

**Other Reasons**

**Legal References**

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CONFLICT OF INTEREST

Other Reasons:

N.J.S.A. 18A:12-21 et seq. requires school officials to conform to ethical practices as outlined in the statute. The School Ethics Commission has made a number of rulings interpreting the law. Recent additions to the law make adherence to the code of ethics in the law mandatory.

N.J.A.C. 6:3-1.3 includes requirements on familiarizing boards of education on the contents of the Code of Ethics for School Board members.

N.J.A.C. 6A:28-1.1 et seq. defines the purpose, authority and operating procedures of the School Ethics Commission.

School Ethics Commission decisions impact the definition of a conflict of interest. Consult your board attorney for current interpretations of law.

Recommendation:

A bylaw outlining situations which represent a conflict of interest for individual members.

<u>N.J.S.A.</u> 18A:6-8	Interest of school officers, etc., in sale of textbooks or supplies; royalties
<u>N.J.S.A.</u> 18A:6-8.4	Right to hold elective or appointive state, county or municipal office
<u>N.J.S.A.</u> 18A:12-1.1	Ineligibility for appointment to paid office or position filled by board
<u>N.J.S.A.</u> 18A:12-2	Inconsistent interests or office prohibited
<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	School Ethics Act
<u>N.J.S.A.</u> 52:13D-12 <u>et seq.</u>	Legislative findings ... (regarding conflict of interest)
<u>N.J.A.C.</u> 6:3-1.3	Requirements for the Code of Ethics for school board members and charter school board of trustee members
<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appeals
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

Visotcky v. City Council of Garfield, 113 N.J. Super. 263 (App. Div. 1971)

Vittoria v. West Orange Board of Education, 122 N.J. Super. 340 (App. Div. 1973)

CONFLICT OF INTEREST

Legal References (continued)

Elms v. Mt. Olive Board of Education, 1977 S.L.D. 713

Scola v. Ringwood Board of Education, 1978 S.L.D. 413

Salerno v. Old Bridge Township Board of Education, 1984 S.L.D. (April 23)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93

In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g Commissioner 97

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A021-93

School Ethics Commission, Advisory Opinion, A07-94

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A02-00

School Ethics Commission, Advisory Opinion, A14-00

**Possible**

**Cross References:** \*4112.8 Nepotism  
\*4212.8 Nepotism  
\*9271 Code of ethics

\*Indicates policy is included in the Critical Policy Reference Manual.



**CRITICAL POLICY REFERENCE MANUAL**

**FILE CODE: 9270**

**Monitored**

**Mandated**

**Other Reasons**

**Sample Bylaw**

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## CONFLICT OF INTEREST

The board of education accepts the responsibility of governing the operation of the district in the best interests of the total community. Individual members shall subscribe to the code of ethics in bylaw #9271 Code of ethics. The board as a body, and the members individually, wish at all times to avoid attitudes and actions that might give rise to public questioning of the integrity of any board decision.

For the purpose of this bylaw, family member shall be defined as grandparent, parent, spouse, child, grandchild or sibling, whether by blood or marriage.

Therefore, in addition to complying with all statutory requirements:

- A. No board member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office.
- B. No board member shall participate in any way in the employment, appointment, terms and conditions of employment, performance evaluation of or promotion of his/her family member.
- C. No board member shall discuss or vote on a proposed collective bargaining agreement with a bargaining unit; participate in any way as a member of the negotiating team; be present in closed session when the board is discussing negotiation strategies nor participate in negotiations in any way when his/her family member belongs to that bargaining unit.
- D. No board member who is a member of the same statewide union or whose immediate family member is a member of that same statewide union shall participate in any way in negotiations, prior to the board's attaining a tentative memorandum of agreement with the bargaining unit. Once the tentative memorandum of agreement is established, the board member with an out of district same statewide union affiliation may fully participate in the process, absent other conflicts. Prior to that time, the board member shall not be a member of the negotiating team and shall not be present with the board in closed session when negotiation strategies are being discussed. The board member may vote on the collective bargaining agreement.
- E. No board member shall use, attempt to use, or allow to be used any property owned or leased by the school district for the purpose of securing financial gain for the board member, a family member, a political organization, or a business in which the board member or a family member has an interest or which employs or provides compensation to the board member or family member.

CONFLICT OF INTEREST (continued)

- F. No board member shall use, attempt to use, or allow to be used his/her position for the purpose of securing financial gain for the board member, a family member, a political organization, or a business in which the board member or a family member has an interest or which employs or provides compensation to the board member or family member.
- G. No board member shall use, attempt to use, or allow to be used any information which is not generally available to the public, and which the board member acquired by reason of his/her position, for the purpose of securing financial gain for the board member, family member, a political organization, or a business in which the board member or a family member has an interest or which employs or provides compensation to the board member or family member.
- H. No board member shall solicit, accept, or agree to accept, either directly or indirectly, any gift, loan, political contribution, service, promise of future employment, or other thing of value if the board member knows or reasonably should know that the gift, loan, political contribution, service, promise of future employment, or other thing of value was given or offered for the purpose of influencing the board member, directly or indirectly, in the discharge of his/her duties.
- I. No board member shall direct or request that any person or business which is a party to a contract with the school district perform, whether for compensation or not, any services for, or contribute anything of value to, a political organization.
- J. No board member shall use his/her position to direct or request that any other school official or any person employed by the school district perform any services, whether for compensation or not, for, or contribute anything of value to, a political organization.
- K. No board member shall participate in any way in school district action which he/she knows or reasonably should know would result in the payment of school district funds, from whatever source derived, to the board member, family member, a political organization, or a business in which the board member or family member has an interest or which employs or provides compensation to the board member or family member.
- L. Nothing in this bylaw shall be construed to prohibit a board member from taking action in an official capacity if by reason of that action no benefit or detriment could reasonably be expected to accrue to the board member or a family member as a member of a group to any greater extent than any such benefit or detriment could reasonably be expected to accrue to any other member of such group.
- M. No board member shall serve as mayor or as a member of the municipal governing body of the district.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Conflict of Interest, Board Member Conflict of Interest, Board Member Ethics, Ethics

**CRITICAL POLICY REFERENCE MANUAL**

**FILE CODE: 9271**

**Monitored**

  X  

**Mandated  
Legal References  
Reasons**

  X  

  X   Other

CODE OF ETHICS

Monitored:

Indicator 9.1

Mandated:

N.J.S.A. 18A:12-24 and -24.1 require board members' adherence to a code of ethics set out in law. Complaints about violations of the code may be brought before the School Ethics Commission.

Other Reasons:

N.J.S.A. 18A:12-21 et seq. requires boards to hold to specific standards to guide their conduct (see 9270 Conflict of interest).

N.J.A.C. 6:3-1.3 requires boards of education to discuss annually the school Ethics Act and the Code of Ethics for School Board members in a regularly scheduled public meeting. Policies and procedures are required on board member training in understanding the Code of Ethics, and signed documentation that board members have received and reviewed it must be provided.

Recommendation:

A bylaw embodying the code of ethics required by law.

Please note that provisions D. and E. in the following sample bylaw are not in the statute and are not legally required. They are intended to encourage civil discourse at board meetings and among board members. Your board can choose to include them in your code of ethics, or not.

<u>Legal References:</u>	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:12-2</u>	Inconsistent interests or office prohibited
	<u>N.J.S.A. 18A:12-21 et seq.</u>	School Ethics Act
	See particularly:	
	<u>N.J.S.A. 18A:12-24, -24.1</u>	
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.A.C. 6:3-1.3</u>	Requirements for the Code of Ethics for school board members and charter school board of trustee members
	<u>N.J.A.C. 6A:4-1.1 et seq.</u>	Appeals
	<u>N.J.A.C. 6A:28-1.1 et seq.</u>	School Ethics Commission

Manual for the Evaluation of Local School Districts (September 2002)

Possible

Cross References: \*4112.8 Nepotism  
\*4212.8 Nepotism  
\*9270 Conflict of interest

\*Indicates policy is included in the Critical Policy Reference Manual.

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**Monitored**

  X  

**Mandated  
Sample Bylaw  
Reasons**

  X  

  X   Other

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CODE OF ETHICS

The members of the board of education recognize that they hold authority not as individuals but as members of the board. In order to make a clear public statement of its philosophy of service to the pupils of the district, the board adopts this code of ethics.

- A. 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.
- B. 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.
- C. 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.
- \*D. I will behave toward my fellow board members with the respect due their office--demonstrating courtesy, decorum and fair play at all public meetings and in all public statements.
- \*E. I will refrain from inappropriate conduct in public meetings and in making public statements, refraining from any disparagement of my fellow board members or others on a personal, social, racial or religious basis.
- F. 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.
- G. 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.
- H. 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.
- I. 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 schools.

\* Not legally required. See "recommendation" on legal reference pages.

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File

Code: 9271

CODE OF ETHICS (continued)

- J. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief school administrator.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the chief school administrator and will act on such complaints at public meetings only after failure of an administrative solution.

The board shall see that all members of the board receive training in understanding and adhering to this code of ethics and shall discuss it annually at a regularly scheduled public meeting. Each member shall sign documentation that he/she has received a copy of it and has read and understood it.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Conflict of Interest, Code of Ethics, Board Member Conflict of Interest, Board Member Ethics, Ethics

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# **Acknowledgement of Receipt Code of Ethics for School Board Members**

Please sign this acknowledgement of receipt to confirm that you have received a copy of the Code of Ethics for School Board Members contained within this recent amendment to the School Ethics Act, C.178, P.L. 2001.

**Each school board member and charter school trustee is responsible to read and become familiar with the Code of Ethics for School Board Members. Questions about the policy should be directed to your Business Administrator/Board Secretary. If unable to answer the question, the BA/BS may direct you to the School Ethics Commission from whom you may request an advisory opinion.**

**The Code of Ethics became part of the School Ethics Act on July 26, 2001 so it is effective immediately. Failure to sign this Acknowledgement will not relieve a board member of the responsibility to understand and adhere to the Code of Ethics.**

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**BOARD MEMBER'S NAME (Please print)**

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**BOARD MEMBER'S SIGNATURE**

**DATE**

**Please sign and return this sheet to the Business Administrator/Board Secretary or Lead Person of a Charter School.**