

# POLICY

2018

6110

Personnel

**SUBJECT:** Code of Ethics for all District Personnel/Officers

The following are standards of conduct for officers and employees of the Jamesville-DeWitt Central School District:

Section 1. Purpose. Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Education of the Jamesville-DeWitt Central School District recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our school district. It is the purpose of this resolution to promulgate these rules of ethical conduct for the officers and employees of the Jamesville-DeWitt Central School District. These rules shall serve as a guide for official conduct of the officers and employees of the Jamesville-DeWitt Central School District. The rules of ethical conduct of this resolution as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. Definition. “Officer or Employee” means a member of the Board of Education, an officer or employee of the Jamesville-DeWitt Central School District, whether paid or unpaid, including members of any administrative board, commission, or other agency thereof.

“Interest” means direct or indirect pecuniary or material benefit accruing to an officer or employee as the result of a contract or agreement with the school district. For purposes of this policy a municipal officer or employee shall be deemed to have an interest in the contract of (a) his/her spouse, minor children and dependents except a contract of employment with the school district; (b) a firm, partnership or association of which such officer or employee is a member or employee; (c) a corporation of which such officer or employee is an officer, director or employee; and (d) a corporation, of which five percent or more of outstanding stock is owned or controlled directly or indirectly by such officer or employee.

Section 3. Standards of Conduct. Every officer or employee of the Jamesville-DeWitt Central School District shall be subject to and abide by the following standards of conduct:

- (a) Gifts. He/she shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of seventy-five dollars 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 expected to influence him/her, in performance of his/her official duties or was intended as a reward for any official action on his/her part.

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It is recognized and understood that an exchange of gifts between employees, teachers and/or students is a tradition of the holiday season. Nothing herein should be construed as prohibiting such an exchange provided discretion is used to ensure that gifts of value are not accepted by employees or officers. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

- (b) Confidential Information. He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

In addition, he/she shall not disclose information regarding any matters discussed in an executive session of the Board of Education whether such information is considered “confidential” or not.

- (c) Compensation for Services Rendered. He/she shall not receive, or enter into any agreement, express or implied, for compensation for any services, other than those services for which he/she is employed as an employee of the school district, to be rendered in relation to any matter before the school district.
- (d) Representing Others in Matters Before the District. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District. Likewise, no one may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District, where the individual's compensation is contingent upon any action by the District with respect to the matter.
- (e) Disclosure of Interest in Contracts and Resolutions Any District officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement, or other agreement, including oral agreements, with the District must publicly disclose the nature and extent of that interest in writing. The disclosure must be made when the officer or employee first acquires knowledge of the actual or prospective interest, and must be filed with the person's immediate supervisor and the Board of Education. Any written disclosure will be made part of and included in the official minutes of the relevant Board meeting.
- (f) Investments in Conflict with Official Duties. He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties, or that would otherwise impair his/her independence of judgment in the exercise or performance of his/her official powers or duties.

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- (g) Private Employment. He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.
- (h) Future Employment He/she shall not, after the termination of service or employment with the District, appear before the District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his or her active consideration.
- (i) Conflicts of Interest Except as permitted by law (see below), he/she may not have an interest in any contract with the District when he/she, individually, or as a member of the Board, has the power or duty to: negotiate, prepare, authorize, or approve the contract or authorize or approve payment under the contract; audit bills or claims under the contract; or appoint an officer or employee who has any of these powers or duties.

Likewise, unless permitted by law, no chief fiscal officer, treasurer, or his/her deputy or employee, may have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or for investment of funds of the District.

Exceptions. The provisions of (i) above shall not apply to:

- (1) a contract with a person, firm, corporation or association in which he/she has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract;
- (2) the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law;
- (3) a contract with a membership corporation or other voluntary non-profit corporation or association;
- (4) the sale of bonds and notes pursuant to Section 60.10 of the local finance law;

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(5) a contract in which he/she has an interest if such contract was entered into prior to the time he/she was elected or appointed, but this shall in no event authorize a renewal of any such contract;

(6) any other exceptions as specified in Article Eighteen (18) of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

*Section 4. Notice of Code of Ethics and General Municipal Law Sections 800-809* The Superintendent will ensure that a copy of this code of ethics is distributed to every District officer and employee, and that a copy of General Municipal Law Sections 800-809 is posted conspicuously in each District building. The failure to distribute this code of ethics or to post General Municipal Law Sections 800-809 will have no effect on either the duty of District officers and employees to comply with their provisions, or the ability of the District or other relevant authorities to enforce them.

*Section 5. 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 this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Education Law 410  
General Municipal Law, Article 18 and 800-809

Adopted: 08/07/95  
Revised: 12/06/04  
Revised 01/08/18