

## Policy

Descriptor Code: BH

### Board Code of Ethics

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The Clarke County Board of Education desires to operate in the most ethical and conscientious manner possible and to that end the Board adopts this Code of Ethics and each member of the Board agrees that he or she will abide by this Board Code of Ethics. The Board commits itself and its members to professional and effective conduct, including speaking with one voice **once a decision is rendered**, proper use of authority, and appropriate decorum when acting as Board members. Board members shall honor the high responsibility the governance position demands, and practice Board beliefs and actions that support increased stability on the Board, improve satisfaction from families and the community, and **create** a climate for improved student learning.

**The Board members shall ensure all policies support the Balanced Governance™ Standards.**

#### Domain I: Governance Structure

1. Recognize that the authority of the Board rests only with the Board as a whole and not with individual Board members and act accordingly. Board members understand and commit to practices supporting the understanding that no individual authority is granted. Power and authority rests in the school Board as a group only. The Board President functions as the official spokesperson for the Board and must speak for the Board's position, not their personal position. The Board intends to always speak with one voice as a governing body. It is imperative that Board members make it clear that their views do not necessarily reflect the views and opinions of the entire Board. Once a decision is made by the Board, all Board members must support and uphold the decision; however, a Board member may state how they voted and why but that they abide by the decision made by the Board.
2. Support the delegation of authority for the day-to-day administration of the school system to the local Superintendent and act accordingly. Board members practice balanced governance through the role of informed oversight. They avoid operating through either micromanagement (over-reach into operations) or disengagement (rubber stamping of

administration proposals).

3. Honor the chain of command and refer problems or complaints consistent with the chain of command.
4. Recognize that the local Superintendent should serve as secretary, ex-officio to the Board and should be present at all meetings of the Board except when his or her contract, salary or performance is under consideration.
5. Not undermine the authority of the local Superintendent or intrude into responsibilities that properly belong to the local Superintendent or school administration, including such functions as hiring, transferring or dismissing employees.
6. Use reasonable efforts to keep the local Superintendent informed of concerns or specific recommendations that any member of the Board may bring to the Board.

## **Domain II: Strategic Planning**

1. Reflect through actions that his or her first and foremost concern is for the educational welfare of children attending schools within the school system. Board members engage in open dialogue focused on general interests and welcomes various viewpoints, but makes decisions based on the best course of action for the entire school family/community. Board members avoid open debate focused on activism or special interests and value collective consensus over individual viewpoints in their decision-making and governance protocols.
2. Participate in all planning activities to develop the vision and goals of the Board and the school system.
3. Work with the Board and the local Superintendent to ensure prudent and accountable uses of the resources of the school system.
4. Render all decisions based on available facts and his or her independent judgment and refuse to surrender his or her judgment to individuals or special interest groups. Board members focus on common interests by seeking to understand the multiple and varied positions of all District constituencies by supporting shared, mutually beneficial solutions that can be applied to many students and achieved through various means. Board members avoid taking political or ideological positions unrelated to educational issues that may often polarize constituent views.
5. Uphold and enforce all applicable laws, all rules and regulations of the State Board of Education and the Board and all court orders pertaining to the school system.

## **Domain III: Board and Community Relations**

1. Seek regular and systemic communications among the Board and students, staff and the community. The Clarke County School District is a public school district that represents the interests of a diverse and highly engaged community. The Board values the input and insight of its

stakeholders and believes that effective Board-stakeholder engagement strengthens the Board's role as an active, informed and engaged governance body.

2. Communicate to the Board and the local Superintendent expressions of public reaction to Board policies and school programs. As elected officials, the Board (as individuals or as the whole) will receive correspondence from citizens with questions, concerns or to express citizen opinions on issues before the Board.

~~Given the proliferation of use of email, especially when issues before the Board pique the public's engagement, The Board will provide consistent, succinct responses which acknowledge the citizen's letter and direct the correspondent to the appropriate source of information, either through the District website or the Superintendent of Schools. In order to keep all Board members informed of issues raised by citizens~~ on issues before the Board, written responses shall include all Board members and the Superintendent. ~~Other than District email, no other use of electronic communication between Board members and constituents on Board issues is permitted.~~ All communications between the Board and constituents on Board issues will conform with this policy.

#### **Domain IV: Policy Development**

1. Work with other Board members to establish effective policies for the school system. Board members seek to collaboratively evaluate data and, through consensus, confirm issues and needs and adopt proposed policy and solutions that fit the stated needs and district goals.
2. Make decisions on policy matters only after full discussion at publicly held Board meetings.
3. Periodically review and evaluate the effectiveness of policies on school system programs and performance.

#### **Domain V: Board Meetings**

1. Attend and participate in regularly scheduled and called Board meetings.
2. Be informed and prepared to discuss issues to be considered on the Board agenda.
3. Work with other Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during the discussion and resolution of issues at Board meetings. Board members use power with practices to ensure that all voices are heard, collaborative processes are followed, and mutually-beneficial solutions are employed. Board members avoid using power over practices designed to promote only their own solutions or further their own special interests.
4. Vote for a closed executive session of the Board only when applicable law or Board policy requires consideration of a matter in executive session.
5. Maintain the confidentiality of all discussions and other matters pertaining

to the Board and the school system, during executive session of the Board.

6. Make decisions in accordance with the interests of the school system as a whole and not any particular segment thereof. Board members shall support a broad focus regarding student concerns. Board members insure that all students are afforded opportunities to succeed. Board members avoid a targeted focus on providing opportunity for single groups of students.
7. A local Board of education shall not adopt or follow any code of ethics which prevents the members of such Board from discussing freely the policies and actions of such Board outside of a Board meeting. This shall not apply to any matter discussed in executive session or which are exempt from disclosure under Code Section 50-18-72.
8. Abide by all decisions of the Board.

### **Domain VI: Personnel**

1. Consider the employment of personnel only after receiving and considering the recommendation of the local Superintendent.
2. Support the employment of persons best qualified to serve as employees of the school system and insist on regular and impartial evaluations of school system staff.
3. Comply with all applicable laws, rules, regulations, and all Board policies regarding employment of family members.

### **Domain VII: Financial Governance**

1. Refrain from using the position of Board member for personal or partisan gain or to benefit any person or entity over the interest the school system.

### **Conduct as Board Member**

1. Devote sufficient time, thought and study to the performance of the duties and responsibilities of a member of the Board.
2. Become informed about current educational issues by individual study and through participation in programs providing needed education and training. Board members will ensure that their deliberations, requests, and reports are focused on solutions to improve student learning. Board members make decisions based on an understanding that the local school district and each school have unique and shifting needs; often requiring locally developed, innovative solutions. Board members avoid promotion of standardized, one-size-fits-all programs and focuses on designed solutions and programs that fit the unique need of each school as supported by diverse evidence of student learning.
3. Communicate in a respectful professional manner with and about fellow Board members. Board members use their voice to seek to hear and

understand each other's interests and support mutually beneficial resolution and reconciliation. Board members avoid actions to tell and sell their position.

4. Take no private action that will compromise the Board or school system administration. Board members serve and act on the Board in a manner reflecting altruistic service: to serve the family/community at large and meet the needs of all students. Board members avoid fulfilling personal agendas regarding policy, program, or personnel.
5. Participate in all required training programs developed for Board members by the Board or the State Board of Education.
6. File annually with the local Superintendent and with the State Board of Education a written statement certifying that he or she is in compliance with this Code of Ethics.

### **Conflicts of Interest**

1. Announce potential conflicts of interest before Board action is taken.
2. Comply with the conflicts of interest policy of the Board, all applicable laws and Appendix B of the Standards document. Upon a motion supported by a two-thirds (2/3) vote, the Board may choose to conduct a hearing concerning a possible violation of this Code of Ethics by a member of the Board. The Board member accused of violating this Code of Ethics will have thirty (30) days notice prior to a hearing on the matter. The accused Board member may bring witnesses on his or her behalf to the hearing, and the Board may elect to call witnesses to inquire into the matter. If found by a vote of two-thirds of all the members of the Board that the accused Board member has violated this Code of Ethics, the Board shall determine an appropriate sanction. A Board member subject to sanction may, within thirty (30) days of such sanction vote, appeal such decision to the State Board of Education in accordance with the rules and regulations of the State Board of Education. A record of the decision of the Board to sanction a Board member for a violation of this Code of Ethics shall be placed in the permanent minutes of the Board.

### **Board Member/Superintendent Progressive Response Protocols**

Board members and the Superintendent shall strive to adhere to the governance policies of the Clarke County School District regarding how to deal with disagreements of policy and governance applications, or infractions of said governance policies. If disagreements or failure to practice governance policies occur among Board members, the following protocols shall be employed:

1. Board Member/Board Member Conflict: Board members who fail to follow governance process policies, either during or outside of a Board meeting shall

be addressed using the Balanced Governance™ Progressive Response Protocols listed below:

- a. Board member(s) with a concern about another Board member shall report the concern to the Board President and/or Superintendent privately.
  - b. The Board President shall meet with the offending Board member and remind them of their Code of Ethics to follow governing policies and protocols.
  - c. If this is ineffective, the Board President and one other Board member or arbitrator, chosen by the Board President, shall meet with the offending Board member, remind them of their Code of Ethics to follow governing policies and protocols, and ask them to honor their commitment through appropriate action.
  - d. If this is ineffective, the Board President, ~~in Executive Session,~~ shall remind the offending Board member of their Code of Ethics to follow governing policies and protocols, and ask them to honor their commitment through appropriate action.
  - e. If this is ineffective, the Board President shall engage in informal censure of the offending Board member through interrupting ensuing infractions in Board meetings and making formal public statements both during the Board meeting and outside the Board meeting as needed, to distance the Board's position from the infracting Board member's position or statements.
  - f. In the event that the Board President fails to follow governance policies and processes, the Board Vice President shall engage the Balanced Governance™ Progressive Response process listed above in items a-e.
  - g. If these steps are ineffective, **the Board** ~~the Board Vice President~~ may entertain a recall vote of the seated Board President **via agenda amendment at a public Board meeting**. By majority, the seated President can be removed. The Board Vice President shall assume the role of Board President and employ the Balanced Governance™ Progressive Response process item, if necessary.
2. Board member/Superintendent Conflict: Concerns regarding school Board member/Superintendent communication or implementation of policy and procedures shall be addressed with the Superintendent through the Balanced Governance™ Progressive Response Protocols listed below:
- a. First meet individually with the Superintendent to address and resolve any concern.
  - b. If this is not successful, the Board member shall meet to discuss the issue with the Board President and Superintendent together.
  - c. If still not resolved, the Board member can require the issue to be added to the next Board agenda for discussion and action. Note that the Board meeting discussion should include only the information requested or the concern reported, and recommendations for actions on the part of the Board to resolve the issue.

- d. Finally, the Board should address concerns over Superintendent response or action only through the formal Superintendent evaluation.

### **Duties of Individual Board Members**

The Clarke County School District Board shall follow principles that enable it and its members to operate lawfully, efficiently, respectfully, and strategically focused on District progress toward the District Vision; District Strategic Plan Goals; and District Strategic Plan Measurable Goals, and Balanced Governance™ Board Standards to improve learning for all students.

The Board shall engage in Balanced Governance™ with an emphasis on beliefs and actions emulating the Balanced Governance™ Individual Board Member Characteristics as described in Policy BH.

Board members shall strive to make policy decisions based on information received from the Superintendent and staff that reflects the progress or the need for improvement toward the District Vision; District Strategic Plan Goals; and District Strategic Plan Measurable Goals.

Superintendent or staff reports presented to the full Board during Board meetings shall, at a minimum, follow these Balanced Governance™ Tracking and Reporting Protocols as shown in Policy BAB - School Board Governance.

Board members shall ensure all policies support the Balanced Governance™ Standards. Board member discussion should focus on the extent to which policy, programs, and processes of both the District educational system and Board governance actions support Balanced Governance™ Standards. Balanced Governance™ Standards as delineated in Policy BAB - School Board Governance.

Board members shall respect relationships with other members of the Board by:

- a. Recognizing the integrity of predecessors and associates and the merit of their work.
- b. Refusing to make ~~statements or~~ promises regarding voting on any matter that should properly come before the Board.
- c. Respecting the right of others to their opinions and, while striving for consensus, supporting the majority rule principle.

Board members and the Superintendent shall engage in professional public communications to respect and ensure an unobstructed process of Board deliberation and policy approval. This includes:

- a. Suspending decision-making and public comment until proper analysis of data and Board discussion is concluded and a vote is cast.
- b. Supporting the integrity of final Board decisions and supporting the implementation of those policy decisions while retaining the right to

publicly share one's own reasons for voting against a particular policy or program.

- c. Refraining from speaking individually to the media or posting public comment on social media regarding that expresses a position of Board or District matters that are under policy or program deliberation, and prior to a discussion and vote by the Board. Individual Board members shall defer Board inquiries on such matters to the Board President, who shall prepare a statement speaking on behalf of the Board. The written statement shall include the vote count and the reasons behind any dissenting votes.
- d. Providing appropriate redirection through the proper personnel channels when approached by the public. For example, Board members shall defer comments regarding inquiries about District issues operations and procedures to the Superintendent, who will speak for the District.
- e. Public comments or inquiry directed to the Superintendent regarding Board practices or actions, should be passed on to the Board President who may, if time permits, confer with the Board on such matters during a regular Board meeting, and when directed by the Board, respond on their behalf. In emergencies where a timely response is needed, the Board President may speak on behalf of the Board without their conference and approval.

Board members who fail to follow governance process policies, either during or outside of a Board meeting shall be addressed using the Board Members' & Superintendent Progressive Response Protocols delineated in this policy.

Board members shall respect the authority of the Superintendent of Schools and the staff by:

- a. Giving the Superintendent full administrative authority for properly discharging the professional duties of the position and by holding the Superintendent accountable for progress toward the District Vision; District Strategic Plan Goals; and District Strategic Plan Measurable Goals.
- b. Recognizing individual interactions between Board members and employees of the Superintendent lack authority except when explicitly authorized by the Board.
- c. Refraining from expressing individual judgments of performance of the Superintendent or employees of the Superintendent except as described in the Board Members' & Superintendent Progressive Response Protocols delineated in this policy.
- d. Acting only upon the recommendations of the Superintendent in matters of employment or dismissal of District personnel.
- e. Excluding the Superintendent at regular and special meetings of the Board only when the contract, salary, and evaluation of the Superintendent are discussed.
- f. Referring all complaints to the Superintendent, and discussing such complaints at a regular meeting only after exhausting all other steps described in the Board Members' & Superintendent Progressive Response Protocols delineated in this policy.

- g. Providing an environment in which the Superintendent and staff may function effectively within the community and discharge their educational functions on a thoroughly professional basis.
- h. Presenting any criticisms of any employee directly to the Superintendent.

Concerns regarding school Board member/Superintendent communication or implementation of policy and procedures shall be addressed with the Superintendent through the Balanced Governance™ Progressive Response Protocols as delineated in this policy.

Board members shall refrain from individually and privately monitoring the implementation of policy, programs, or operation-processes.

Board members shall conduct effective and productive meetings focused on open dialogue and policy actions intended to check the progress and improve achievement of the District Vision; District Strategic Plan Goals; and District Strategic Plan Measurable Goals.

Board members shall conduct their Board meetings in a professional manner with appropriate decorum through:

- a. Well-attended meetings and well-prepared participants.
- b. A well-planned agenda that is focused on progress checking and discussion of the District Vision; District Strategic Plan Goals; and District Strategic Plan Measurable Goals.
- c. Keeping discussions centered on the agenda and staying focused on progress checking and discussion of the District Vision; District Strategic Plan Goals; and District Strategic Plan Measurable Goals.
- d. Balanced participation with everyone participating and no one dominating.
- e. Sharing viewpoints in a clear, concise manner.
- f. Accomplishing work in an atmosphere of trust and openness with respect and courtesy.
- g. Monitoring policies to facilitate accountability and assurance of policy implementation fidelity.
- h. Supporting the Superintendent's reasonable interpretation of applicable Board policies or further clarifying Board intention by revising the policies.
- i. Making decisions based on information garnered from Superintendent and staff reports presented at Board meetings, additional information requested through the Superintendent, and family/community input.

Board members shall recognize that authority rests only with the Board during official meetings and that the individual member has no legal status to bind the Board outside meetings. The Board shall follow the following provisions:

- a. No action of the Board shall be considered valid without the approval of a quorum of the Board.

- b. A quorum of members shall only meet, deliberate, or vote regarding matters within the Board's jurisdiction in either an open meeting or a closed meeting in compliance with a specific statute.
- c. Members' interaction with the public, press, or other entities must recognize Board decisions and the inability of any member to speak for the Board.

Original Adopted Date: 6/11/1992  
Last Revised: 11/12/2015

Clarke County School District

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**Note:** *The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example **enter 20-02-0211 in the search window** and the Georgia Code will appear.*

<b>State Reference</b>	<b>Description</b>
O.C.G.A 20-02-0049	<u>Standards for local Board of education members</u>
O.C.G.A 20-02-0051	<u>Election of county Board members; persons ineligible to serve</u>
O.C.G.A 20-02-0063	<u>Prohibit certain conflicts of interest of Board members</u>
O.C.G.A 20-02-0072	<u>Code of ethics for local Board of education members</u>
O.C.G.A 20-02-0073	<u>Removal of Board members under certain circumstances</u>
Rule 160-4-9-.06	<u>Charter Authorizers, Financing, Management, and Governance Training</u>
Rule 160-5-1-.36	<u>Local School Board Governance</u>

