

**Policy Type:
EXECUTIVE LIMITATIONS**



SERIAL NUMBER: 3.4

POLICY TITLE: BOARD MEMBERS' CODE OF CONDUCT

The Board of Education (Board), recognizing the special trust associated with its public office, commits itself and its Members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members (Members).

1. Members must have primary loyalty to the residents/ property owners/ taxpayers of Cobb County, outside the City of Marietta, unconflicted by loyalties to staff, other organizations, and any personal interest as a consumer.
2. Members will vote in accordance with the best interest of the Cobb County School District (District) as a whole and not a particular segment thereof.
3. Members must avoid conflict of interest with respect to their fiduciary responsibility.
 - a. There will be no self-dealing or any conduct of private business between any Member and the District. Members will annually disclose their involvements with other organizations, with vendors, or any associations which might be or might reasonably be seen as being a conflict. This does not prohibit a Member, in his or her individual capacity, from receiving an expense paid trip while serving as a chaperone on a school-approved field trip or excursion.
 - b. When the Board is to decide upon an issue, about which a Member has an unavoidable conflict of interest, that Member shall absent herself or himself without comment from not only the vote, but also from the deliberation.
 - c. Members will not use their Board position to obtain employment in the organization for themselves, family members, or close associates. Should a Member apply for employment, he or she must first resign from the Board.
 - d. All members of the Board who have the ability to influence business transactions in the aggregate annual amount of \$500.00 and above shall disclose in writing, any known relationship they, or any member of their immediate family, have or have had in the twelve (12) months immediately preceding the disclosure, with any current or prospective vendor/consultant to the District. The following provisions apply:
 - (1) Such relationship shall be defined as: "Any relationship, contractual or otherwise, which might result in any pecuniary gain, direct or indirect, in the aggregate annual amount of \$100.00 and above."
 - (2) The disclosure shall be presented in writing to the Office of the Superintendent on or before January 31 of each year on such forms as the Board of Education shall prescribe. Once a disclosure is received, the Superintendent shall ensure that such information is distributed to appropriate administration personnel.
 - (3) **BUSINESS TRANSACTIONS:**
It shall be the policy of the Board that the District, where appropriate, not do business with any vendor/consultant who has a relationship as defined above. If an affected party wishes to have this policy waived, they may forward such request to a review committee, which committee shall be composed of the Board attorney and the Chairman of the Board of Education. This committee shall, after review, present its recommendation to the full Board, who may by majority vote approve a waiver of this policy.

- (4) Immediate family is defined as spouse, children, mother, father, brother, sister, grandmother, grandfather, grandchildren, mother-in-law, father-in-law, sister-in-law, daughter-in-law, son-in-law, brother-in-law, and any step relatives as identified in this definition.
- e. Provide full documentation in the form of receipts (or other evidence of payment in accordance with accepted accounting practices) or a daily mileage log for any expenses for which reimbursement is requested from the District.
4. Members, as individuals, may not attempt to exercise individual authority over the District, recognizing that the public is represented by the Board as a body, not as a collection of individuals.
- a. Members' interaction with the Superintendent or with staff must recognize the lack of authority vested in individuals over staff. Members shall not insert themselves into staff operations, except when explicitly Board-authorized. This does not restrict or discourage non-instructive communications between Members and staff. While Board Members are due common courtesy, the Superintendent and staff are not required to heed any individual Member's opinions or instructions, except as provided in Board Policy 2.8 (Communication and Support to the Board), Item 8.
- b. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any Member to speak for the Board except to repeat explicitly stated Board decisions.
- c. Except for participation in Board deliberation about whether the Superintendent has achieved a reasonable interpretation of Board Policy, Members will give no consequence to individual judgments of the Superintendent or his/her staff, nor will Members express judgments of District employees other than during Executive Session.
- d. Regardless of any Member's dissent from a decision of the Board, he/she must support the policy that the Superintendent is bound by directions given by the Board as a whole. While an individual Member need not pretend to agree with the Board decision, he/she shall not express that difference of opinion to staff in a manner that could create dissension or polarization in the organization or undermine a decision of the Board majority.
5. Members will respect the confidentiality appropriate to issues of a sensitive nature and the confidentiality of executive session.
6. Members will be properly prepared for Board deliberation, as well as prepared to help keep the Board to its proper business and adopted rules of discipline.
7. Members shall extend to each other all possible courtesy, short of jeopardizing the Board's governance performance.
- a. Members should allow the representative from a post to have the first right to make a motion regarding a resolution that affects that particular post or that has a disproportionate effect on that post.
- b. Members who receive complaints/concerns from another Member's post shall refer those to the Superintendent, or designee, and to the Member who represents that post.
- c. Members will not approach disputes personally, but as legitimate differences of opinion.
8. Members will respond to constituent complaints/concerns in a way consistent with governance principles embodied in Board Policies.
- a. If the complaint/concern is directly relevant to school governance, it will be communicated to the Board Chair for disposition.
- b. If the complaint/concern is directly relevant to school administration at or below the level of Superintendent, it will be communicated to the Superintendent or, as the Superintendent has chosen, to the appropriate administrator. The Superintendent or

appropriate administrator should communicate back to that Member any pertinent information or action.

c. Members will be capable of explaining the Board's method of fulfilling its public duty through disciplined governance practices.

9. Members are subject to formal action against them by the Board for violating the provisions of this Policy as allowed by law, to include verbal private reprimand, written reprimand, censure, removal from any Board committee or from any Board officer position.

Adopted: 8/26/04
Effective: 9/1/04
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EXECUTIVE SECRETARY, BOARD OF EDUCATION