

## BOARD MEMBER CODE OF ETHICS

Code **BCA** Issued **11/12**

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Purpose: To establish the basic structure for ethical board conduct.

The public schools play a vital and important role in our state and country by providing the basic foundation for democratic living and for sustaining the American way of life. Therefore, school board membership represents a challenging responsibility. This code of ethics is adopted by the board as a guide to its members as they strive to render effective and efficient service to their community.

**A board member should honor the high responsibility which his/her membership demands by doing the following.**

- thinking always in terms of “children first”
- understanding that the basic function of a school board is policy-making, not administration, and by accepting the responsibility of learning to discriminate intelligently between these two functions
- accepting the responsibility along with his/her fellow board members of seeing that the maximum facilities and resources are provided for the proper functioning of schools
- refusing to play politics in either the traditional partisan or any petty sense
- representing, at all times, the entire school district
- accepting the responsibility of becoming well-informed concerning the duties of board members and the proper functions of public schools
- recognizing responsibility as a state official to seek the improvement of education throughout the state

**A board member should respect his/her relationship with other members of the board by doing the following.**

- recognizing that authority rests only with the board in official meetings and that the individual member has no legal status to bind the board outside of such meetings
- recognizing the integrity of his/her predecessors and associates and the merit of their work
- refusing to make statements or promises as to how he/she will vote on any matter which should properly come before the board as a whole
- making decisions only after all facts bearing on a question have been presented and discussed
- respecting the opinion of others and graciously conforming to the principle of majority rule
- refusing to participate in irregular meetings such as secret or “star chamber” meetings which are not official and which all members do not have the opportunity to attend
- maintaining the confidentiality of matters discussed in executive session

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**A board member should maintain desirable relations with the superintendent of schools and his/her staff by doing the following.**

- striving to procure, when a vacancy exists, the best professional leader available for the head administrative post
- giving the superintendent full administrative authority for properly discharging his/her professional duties and holding him/her responsible for acceptable results
- acting only upon the recommendation of the superintendent in matters of employment or dismissal of school personnel
- having the superintendent present at all meetings of the board except when his/her contract and salary are under consideration
- referring all complaints to the superintendent and discussing them only at a regular meeting after failure of an administrative solution
- presenting personal criticisms of any employee directly to the superintendent

Adopted 6/2/80; Revised 6/2/97, 11/5/12

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- A. School board members are under the jurisdiction of the “Ethical Conduct of Public Officials and Employees Act,” Section 8-13-20, et seq., S.C. Code, and are subject to rules of conduct of the statute.

Such rules include the following:

1. may not use their position or office for personal financial gain (Section 8-13-410).
2. may not receive compensation to influence action (Section 8-13-420).
3. may not receive additional money as payment for advice or assistance given in the course of their employment (Section 8-13-430).
4. may not use or disclose confidential information gained in the course of their employment (Section 8-13-440).
5. may not serve as a member or employee of a governmental regulatory commission that regulates any business with which they are associated (Section 8-13-450).
6. may not appear before the Public Service Commission, the S.C. Dairy Commission or the S.C. Insurance Commission in rate or price-fixing matters (Section 8-13-470).
7. may not enter into contract with a governmental agency or department which is to be paid in whole or in part out of governmental funds, unless the contract has been awarded through a process of public notice and competitive bidding (Section 8-13-480).
8. may not offer or give gifts or promises to members or employees of a governmental regulatory agency or department that regulates a business they are associated with (Section 8-13-490).
9. in cases where a potential conflict of interest exists, individuals shall take such steps as the Ethics Commission shall prescribe to remove oneself from the potential conflict of interest (Section 8-13-460).

No elected public official, regardless of compensation, and no appointed public official, regardless of compensation, shall hold office unless he/she has filed a statement of economic interest with the State Ethics Commission” (even if a negative report). (Section 8-13-810, S.C. Code)