SCHOOL BOARD MEMBER AND EMPLOYEE CODE OF ETHICS

The Board of Education recognizes that sound, ethical standards of conduct serve to increase the effectiveness of school Board members and their staff, as educational leaders in their community. Actions based on an ethical code of conduct promote public confidence and the attainment of district goals. The Board also recognizes its obligation to set forth a code of ethics under the provisions of the General Municipal Law, to adopt a code of ethics setting forth the standards of conduct required of all district officers, agents and employees.

Section 1
Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Education of Somers Central School District, Westchester County, New York, recognizes that there are rules of ethical conduct for public officers, agents 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 unit of local government. It is the purpose of this local policy to promulgate these rules of ethical conduct for the officers, agents and employees of the school district. These rules shall serve as a guide for official conduct of officers, agents and employees of the district. The rules of ethical conduct of this local policy 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, agents and employees.

Section 2 – Definitions
a. “Municipal Officer, Agent or Employee” means an officer, agent or employee of the Somers Central School District, whether paid or unpaid, including members of the Board of Education, and their professional or nonprofessional staff and appointees. An agent means any person who acts on behalf of, or who is authorized to commit, the Somers Central School District in a covered transaction.

b. “Interest” means a pecuniary or material benefit accruing to a municipal officer, agent or employee unless the context otherwise requires.

Section 3 – Standards of Conduct
Every officer, agent or employee of the district shall be subject to and abide by the following standards of conduct:

a. Gifts: An officer, agent or employee 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 inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. 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:** An officer, agent or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in an executive session of the Board whether such information is deemed confidential or not.

c. **Representation before the Board or District:** An officer, agent or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the school district.

d. **Representation before the Board for a contingent fee:** An officer, agent or employee shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before the school district, whereby the compensation is to be dependent or contingent upon any action by the school district with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

e. **Disclosure of interest in matters before the Board:** A member of the Board of Education and any officer, agent or employee of the district, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law. The term “interest” means a direct or indirect pecuniary or material benefit accruing to an officer, agent or employee, as a result of a contract with the District.

f. **Investments in conflict with official duties:** An officer, agent or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.

g. **Private employment:** An officer, agent or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

h. **Future employment:** An officer, agent or employee shall not, after the termination of service or employment with the district, appear before the Board in relation to any action, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration.
Section 4

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the district, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5 – Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every member of the Board, every officer, agent and employee of the school district. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers, agents and employees.

Section 6 – 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 the Board's code of ethics and its accompanying regulation may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Cross-ref: 1810, Gifts to School Personnel
6700, Purchasing

Ref: General Municipal Law §§806-808

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