

CODE OF ETHICS

Section 1: Purpose

Under the terms of this policy, rules of conduct considered to be of a nature within the bounds of ethical practices are promulgated for officers, employees, and agents of the Patchogue- Medford Union Free School District. These rules are to be considered as a guide for conduct.

These rules are not to be in conflict with, or to propose superscription of, any state or federal law.

Section 2: Definition

- A. The term "municipal officer or employee" shall apply to any officer or employee of the school district, whether paid or unpaid, including the members of any administrative board, commission, committee or other agency.
- B. "Interest" shall mean a pecuniary or material benefit accruing to a municipal officer or employee as the result of a business or professional transaction with the municipality which such officer or employee serves.

For the purpose of this policy, a municipal officer or employee shall be deemed to have an interest in a business or professional transaction with:

- 1. a firm, partnership or association in which he/she is a member or employee;
- 2. a corporation in which he/she is an officer, director or employee;
- 3. a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
- 4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

Section 3: Standards of Conduct

Every officer or employee shall be subject to the following standards of conduct:

- A. Gifts -- The officer or employee shall not directly or indirectly solicit any gifts or accept or receive any gift having a value of \$75.00 or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form under circumstances in which it could be reasonably inferred that the gift was intended to influence the officer or

Code of Ethics (Continued)**Section 3: Standards of Conduct (Continued)**

employee or could reasonably be expected to influence the officer or employee in the performance of the officer's or employee's duties, or was intended as a reward for any official action on the officer's or employee's part.

- B. Confidential Information -- The officer or employee shall not disclose confidential information acquired in the course of the officer's or employee's official duties or use such information to further the officer's or employee's personal interests.
- C. Compensation for Services Rendered on the Board of Education --
 - 1. The officer 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 Board of Education or in connection with the employment or appointment of any member, officer or employee of this school district.
 - 2. The officer 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 Board of Education whereby the officer's or employee's compensation is to be dependent or contingent on any action by said Board of Education 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 which the officer or employee renders.
- D. Disclosure of Interest -- The officer or employee shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other interest the officer or employee may have in any matter then under discussion by the Board of Education, including, but not limited to, any relationship by blood or marriage with any person or persons under consideration for appointment or hiring.
- E. Investments in Conflict with Official Duties -- The officer or employee shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other transaction which creates a conflict with the officer's or employee's official duties.

Code of Ethics (Continued)

- F. Employment -- The officer or employee shall not engage in, solicit, negotiate for, or promise to accept employment or render services when such employment or service creates a conflict with or impairs the proper discharge of the officer's or employee's official duties.
- G. Future Employment -- The officer or employee shall not, after the termination of the officer's or employee's employment or appointment with this school district, appear before any board or agency of the school district in relation to any case, proceeding or application in which the officer or employee personally participated during the officer's or employee's employment or appointment.
- H. Involvement with Charitable Organizations: A Board member, officer or employee may be involved as a volunteer, officer or employee in a charitable organization which has a relationship with the district. If a Board member is a board member, officer or employee of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer or employee shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer or employee shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

Section 4: Exceptions

Provisions of Section 3 of this policy shall not apply to:

- A. the designation of a bank or trust company as a depository, paying agent, or for investment of funds of a municipality except when the chief fiscal officer of this school district, the treasurer thereof, or the treasurer's deputy or employee, has an interest in such bank or trust company, provided, however, that where designation of a bank or trust company outside the municipality would be required because of the foregoing restriction, a bank or trust company within the municipality may nevertheless be so designated;
- B. a contract with a person, firm, corporation or association in which a municipal officer or employee 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;

Code of Ethics (Continued)**Section 4: Exceptions (Continued)**

- C. 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;
- D. the purchase by the school district of real property or an interest therein, provided that the purchase and consideration therefore is approved by an order of the Supreme Court upon petition of the Board of Education;
- E. the acquisition of real property or an interest therein, through condemnation proceedings according to law;
- F. a contract with a membership corporation or other voluntary nonprofit corporation or association;
- G. the sale of bonds and notes pursuant to applicable sections of the Local Finance Law of the State of New York;
- H. a contract in which a municipal officer or employee has an interest if such contract was entered into prior to the time the municipal officer or employee was elected or appointed as such officer or employee, but this paragraph shall in no event authorize a renewal of any such contract;
- I. employment of a duly licensed physician as school physician for a school district upon authorization by a two-thirds (2/3) vote of the Board of Education of such school district, notwithstanding the fact that such physician shall have an interest, as defined in the General Municipal Law of the State of New York, in such employment;
- J. a contract with a corporation in which a municipal officer or employee owns less than five percent (5%) of the outstanding stock;
- K. contract with a hospital clinic, laboratory or other similar institutions for services and facilities under the New York State Mental Hygiene Law;
- L. a contract for the furnishing of public utility services when the rates or charges therefor are fixed or regulated by the public service commission;
- M. a contract for the payment of a reasonable rental of a room or rooms owned or leased by an officer or employee when the same are used in the performance of the officer's or employee's official duties and are designated as the officer's or employee's office;

Code of Ethics (Continued)**Section 4: Exceptions (Continued)**

- N. a contract for the payment of a portion of the compensation of a private employee of an officer when such employee performs part-time service in the official duties of the office.
- O. a contract in which a municipal officer or employee has an interest if the total consideration payable thereunder, when added to the aggregate amount of all consideration payable under contracts in which such person had an interest during the fiscal year, does not exceed the sum of \$100.

Section 5: Filing of Damage Suit

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against this school district, or any agency thereof, on behalf of the municipal officer or employee or any member of the municipal officer's or employee's family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 6: Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly or intentionally violate any of the provisions of this Code may be fined, suspended, or removed from the office or employment, as the case may be, in the manner provided by law.

Section 7: Entrustment by the Public

Each member of the Board of Education of the Patchogue-Medford Union Free School District represents all citizens of the school district, and recognizes that:

- A. fellow citizens have entrusted members of the Board of Education with the educational development of the children and youth of the community;
- B. the public deservedly expects the first and greatest concern of members of the Board of Education to be in the best interest of each and every one of these young people and of all the citizens of the community without distinction as to who they are and what their background may be;
- C. the public deservedly expects members of the Board of Education to be vitally concerned with the proper expenditure of public funds and, therefore, expects the establishment of sound fiscal policies so as to insure the most efficient and judicious expenditure of all public funds entrusted to the Board of Education;

Code of Ethics (Continued)**Section 7: Entrustment by the Public (Continued)**

- D. the future welfare of the community, of the state, and of the nation depends in the largest measure upon the quality of education provided in the public schools.

Section 8: Relationships with Other Board Members

Members of the Board of Education of the Patchogue-Medford Union Free School District further recognize that:

- A. a board of education is legally empowered to act only at a public meeting through a majority of its members;
- B. it is in the best interest of the children and parents of the community that school board actions and decisions be based on an honest exchange of views among board members based on all the information available concerning any specific matter;
- C. it is the function of a board of education to establish broad policy mandates and educational goals, and to address itself to categories of problems rather than individual difficulties.

Section 9: Personal Responsibilities

In view of the foregoing considerations, it shall be the constant endeavor of each member of the Board of Education:

- A. to work with other board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during vigorous debate of points at issue;
- B. to present to all members of the Board of Education any information which may assist the school board in the discharge of its duties;
- C. to base personal decisions upon all available facts in each situation; to vote honest conviction in every case, unswayed by partisan bias of any kind; thereafter, to abide by the final majority decision of the school board;
- D. to remember at all times that an individual has no legal authority outside the meetings of the school board, and to conduct relationships with school staff, local citizenry, and all media of communication on the basis of this fact;
- E. to resist temptations and outside pressures to use the position as a school board member for personal benefit or to benefit any other individual or agency apart from the total interest of the school district;

Code of Ethics (Continued)

Section 9: Personal Responsibilities (Continued)

- F. to issue formal directives or orders to the superintendent of schools on the authorization of the Board of Education only;
- G. as a school board member, to visit district schools only under procedures duly authorized by the Board of Education; to visit schools in the district under any other circumstances subject to the policies and customs of the district regulating the visitation of schools by residents of the district;
- H. to recognize that it is as important for the school board to understand and evaluate the educational program of the schools as it is to plan for the business of school operation;
- I. never to neglect personal obligation to the community and legal obligation to the state, nor surrender these responsibilities to any other person, group, or organization; but that, beyond these, to have a moral and civic obligation to the nation which can remain strong and free only so long as public schools in the United States of America are kept free and strong as the greatest instrument for the preservation of the representative democracy.

Section 10: 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 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 and employees.

Section 11: Federal Procurement

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept

Code of Ethics (Continued)**Section 11: Federal Procurement (Continued)**

gratuities, favors, or anything of monetary value from contractors or parties to subcontracts except as otherwise permitted under this Policy. Violations of this section may result in disciplinary sanctions up to and including termination or removal from office.

Policy Adopted:

December 7, 1970

Policy Revised:

December 16, 1991

Policy Revised:

September 24, 2012

Policy Revised:

August 26, 2019

Policy Reviewed:

November 22, 2021

Policy Reviewed:

August 21, 2023

Policy Reviewed:

August 26, 2024