

SCHOOL BOARD ETHICS REGULATION

In order to implement the school Board ethics policy (BA), the East Central Special Education Unit Board adopts the following rules and procedures.

To implement items 4 and 12 of the Board ethics policy related to Board member roles and responsibilities, Board members shall:

1. Focus on policy adoption and strategic planning. (The Director is responsible for policy implementation.)
2. Not review Unit personnel files without the permission of the Board President with the exception of the Director's file.
3. Perform the responsibilities assigned to them through state law or Board policy. (Board members should annually review Unit policies and state laws governing Board responsibilities and authority to ensure compliance with them.)

To implement item 5 of the Board ethics policy related to cooperation, Board members shall:

1. Actively participate at Board meetings and allow all Board members to have an equal opportunity to speak and offer their perspectives.
2. Be willing to concede when casting a minority vote, and be willing to publicly support, or at least not undermine, the decision of the majority of the Board.
3. Be willing to respectfully listen and consider all perspectives at the Board table.
4. Correspond/communicate with fellow Board members, administration, and other Unit personnel in a professional manner inside and outside the Boardroom.
5. Follow parliamentary procedure at Board meetings, including not talking out of turn or over one another.
6. Not use Board discussion time as a forum for personally criticizing fellow Board members.

To implement items 6 and 15 of the Board ethics policy related to nonpartisan decision making, Board members shall:

1. Determine if a conflict of interest exists as follows:
 - a. An individual Board member shall first consider criteria contained in the conflict of interest laws (NDCC 15.1-07-17 and 44-04-22) and the following factors to determine if s/he has a conflict of interest:
 - i. Is there a substantial personal or financial benefit to the Board member?
 - ii. Is there likely capacity to tempt the school Board member to depart from his or her public duty of acting in the best interests of the community?
 - b. If the individual Board member is uncertain of whether or not s/he has a conflict, s/he is authorized to contact NDSBA legal counsel or the state's attorney to assist with making this determination.

- c. If the individual Board member determines that there is a conflict of interest, the Board member shall declare it to the Board in accordance with applicable law.
2. Avoid making pledges to members of the public concerning an upcoming or past Board agenda item, and reserve decision making for Board meetings after having a chance to hear all perspectives.
3. Not attempt to judge other Board members' motives or reasons for voting in support of or in opposition to a matter before the Board.
4. Not use discussion at Board meetings to promote a personal agenda. (Board members should engage in discussion aimed at determining how each agenda item benefits the Unit as a whole and furthers the Unit's strategic plan.)
5. Send questions on agenda items to the Director for clarification, and request from the Director any additional material needed to inform decision making.

To implement items 8 and 11 of the Board ethics policy related to individual versus collective Board authority, and where such authority is appropriately exercised, Board members shall:

1. Clarify, when speaking to the public about Board matters, that they are speaking individually and that individual Board members have no authority to act on their own.
2. Comply with state law on open meetings and records when engaged in correspondence or communication with Board members inside and outside of Board meetings. (Official Board action may occur only at properly noticed Board meetings where at least a quorum of the Board is present.)
3. Not issue or engage in official communication of the Board or Unit unless delegated such authority through Board action or policy. (Official communication may take the form of correspondence with the press, publishing statements on the Unit's website or social media sites (BA-BR2), and/or written or verbal correspondence with students, parents, Unit staff, or other community members.)
4. Not represent themselves to the public or Unit employees as having official authority to act on behalf of the Board unless delegated such authority through Board action or policy.

Violations and Sanctions

When a Board member violates the Board ethics policy or regulation, the Board President may:

1. Meet with the errant Board member to remind him/her of the requirements contained in the Board ethics policy and regulation.
2. Place the Board ethics policy and regulation on the Board agenda for review and reaffirmation by the Board.
3. Issue an official statement clarifying that the Board member acted without Board authority.

REGULATION
Cognia

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- 4. [If the policy or regulation has been repeatedly or substantially violated, request that the Board publicly censure the errant Board member through a {2/3rds} majority vote]**

If the errant Board member is a Board officer (e.g., president or vice president), the Board should review its policy on Board officers (BBBA) to determine if there are grounds for removing the Board member from this role.

End of East Central Center for Exceptional Children Policy BA-BR1 Adopted: 4.19.22

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