

**SOUTH BURLINGTON SCHOOL DISTRICT
POLICY B1**

BOARD MEMBER CONFLICT OF INTEREST

POLICY

It is the ethical and legal duty of all School Board members to avoid conflicts of interest as well as the appearance of conflicts of interest.

DEFINITIONS

Conflict of interest means a situation when a board member's private interests, as distinguished from the board member's interest as a member of the general public, would benefit from or be harmed by a board decision.

IMPLEMENTATION

In order to comply with the obligations thus imposed, the Board and its members will adhere to the following recommended standards.

1. A Board member will not give the impression that he or she would represent special interests or partisan politics for personal gain.
2. A Board member will not give the impression that he or she has the authority to make decisions or take action on behalf of the Board or the school administration.
3. A Board member will not use his or her position on the Board to promote personal financial interests or the financial interests of family members, friends or supporters.
4. A Board member will not solicit or accept anything of value in return for taking particular positions on matters before the Board.
5. A Board member will not give the impression that his or her position on any issue can be influenced by anything other than a fair presentation of all sides of the question.
6. Board members will be familiar with, and adhere to, those provisions of Vermont education law which define School Board powers and govern Board member compensation and public bidding processes.

AVOIDING CONFLICTS

When a Board member becomes aware that he or she is in a position that creates a conflict of interest or the appearance of a conflict of interest as defined in state law or

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this policy, he or she will declare the nature and extent of the conflict or appearance of conflict for inclusion in the Board minutes, and will abstain from voting or participating in the discussion of the issue giving rise to the conflict.

COMPLAINTS OF CONFLICT OF INTEREST

When a conflict of interest claim against a Board member is brought to the Board in writing and is signed by another Board member or a member of the public, and the Board member against whom the claim is made does not concur that a conflict in fact exists, the following Board procedures will be followed.

1. Upon a majority vote of the remaining Board members, or upon order of the chair, the Board will hold an informal hearing on the conflict of interest claim, giving both the Board member and the person bringing the claim an opportunity to be heard.
2. At the conclusion of the informal hearing, the remaining Board members will determine by majority vote whether to:
 - a. Issue a public finding that the conflict of interest charge is not supported by the evidence and is therefore dismissed;
 - b. Issue a public finding that the conflict of interest charge is supported by the evidence and that the member should disqualify him or herself from voting or otherwise participating in the Board deliberations or decision related to that issue, as required by Vermont statute; and/or
 - c. Issue a public finding that the conflict of interest charge is supported by the evidence and the Board member should be formally censured or subjected to such other action as may be allowed by law.

Date Policy Warned: November 15, 2006
Date Policy Considered: December 6, 2006
Date Policy Adopted: January 17, 2007

Signed by School Board Members

Kathryn Boucher, Chair
Theodore Manazir, Clerk
Richard Cassidy
Carol Caldwell-Edmonds
Elizabeth Fitzgerald

AUTHORITY AND CROSS REFERENCE

Legal References

16 V.S.A. § 262(d) (Election of officers)

16 V.S.A. §557 (Gratuity/compensation prohibited)

16 V.S.A. §558 (Eligibility for election to school board)

16 V.S.A. §559 (Public bids)

16 V.S.A. §563(20) (Powers of school boards)

See 16 V.S.A. §563(20). "...establish policies and procedures designed to avoid the appearance of conflict of interest."

BOARD MEMBERS CODE OF CONDUCT

The Board commits itself to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Accordingly:

- 1) Board members will represent the interests of the citizens of the entire school district. This accountability to the whole district supersedes:
 - a. Any conflicting loyalty a member may have to other advocacy or interest groups,
 - b. Loyalty based upon membership on other boards or staffs,
 - c. Conflicts based upon the personal interest of any Board member who is also a parent of a student in the district,
 - d. Conflicts based upon being an employee or a relative of an employee of the district, or
 - e. Loyalty to staff/school employees.
- 2) Members must avoid conflicts of interest in accordance with the Policy on Board Member Conflict of Interest, Policy B1.
- 3) Board members shall not attempt to exercise individual authority over the organization.
 - a. A Board member will not give the impression that he or she has the authority to make decisions or take action on behalf of the Board or the school administration.
 - b. Members' interactions with the Superintendent or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized. Except as expressly authorized by other policy or Board resolution, members will not give personal direction to any part of the operational organization or assume personal responsibility for resolving operational problems or complaints.
- 4) Members will protect the confidentiality appropriate to issues of a sensitive nature and other matters that may compromise the integrity or legal standing of the Board and district, including matters discussed in executive session.

Board members retain the right, like any citizens, to express their views as they wish. However, they acknowledge that the way in which they choose to exercise this right can affect the Board's ability to work together effectively to build trust among members and an environment conducive to effective governance and

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interaction with the press, public, and other Board members. The members of the Board aspire to:

- a. Focus on issues rather than personalities;
- b. Support the legitimacy and authority of the final determination of the Board on any matter;
- c. Exercise honesty in all written and interpersonal interaction, never intentionally misleading or misinforming each other;
- d. Honor the right of individual members of the Board to communicate with the community;
- e. Make every reasonable effort to protect the integrity and promote the positive image of the District and one another; and
- f. Never embarrass each other or the District.

Date Policy Warned: October 10, 2007
Date Policy Considered: October 24, 2007
Date Policy Considered: November 14, 2007
Date Policy Adopted: November 28, 2007

Signed:
Richard Cassidy, Chair
Theodore Manazir, Clerk
Carol Caldwell-Edmonds
Elizabeth Fitzgerald
Agnes Clift

South Burlington School Board Guidelines
Social Media Communications
Last Reviewed date: 01/19/2017
Adopted: February 1, 2017

Many School Board members are active users of social media including but not limited to Facebook, Twitter, Front Porch Forum, and other blogs and websites. Social Media can be a positive tool for fostering community engagement but must be used wisely, in compliance with open meeting laws, South Burlington School District Policy 4.5 Board Members' Code of Conduct and in a manner that reflects positively on the District and the School Board as a whole.

In its simplest form School Board members can utilize social media sites to promote dates and agenda topics of upcoming meetings and community forums to garner broader attendance.

The District does not currently maintain a singular Twitter or Facebook account for School Board communications. Front Porch Forum allows for the Chair to hold a "special account" allowing him/her to post to all neighborhoods in the District. To date there is no formal expectation regarding the use of this forum. In order to avoid giving preferential access to any particular group of individuals and to allow Board members to prioritize the core work of the District, the Board has determined that for the time being it will not regularly monitor or communicate through any social media site established by members of the public.

The School Board's current communication practices with the public, in addition to warned meetings and hearings, include:

- Posting of meeting minutes, meeting schedules, and agendas on the District web site.
- Accepting and responding to School Board group and individual emails.
- Posting of links to RETN recordings of meetings and events to the District website.
- Authoring semi-regular columns in *The Other Paper*.

In using social media or websites to communicate about District business, a School Board member should:

1. Clarify that you are communicating as an individual member of the School Board or as a private individual, and not an official spokesperson of the District.
2. Not deliberate District business with a quorum of the School Board.
3. Direct complaints or concerns presented online to the appropriate administrator.
4. Not post content that indicates that you have already formed an opinion on pending matters unless that opinion has already been stated in a public meeting.
5. Post only content that the District has already released to the public.
6. When attempting to restate what happened at a previous School Board meeting, clarify that the posting is not an official record of the meeting and share information only from the open portions of the meeting.
7. Not attempt to interpret or clarify previous comments made by or opinions of other School Board members or District employees on their behalf.
8. Conduct yourself online in a manner that reflects well on the District.

9. Not post anonymously about District business
10. Retain electronic records of posts and content. When a School Board member posts about School Board business, his/her posts should be retained along with subsequent comments on the same post by members of the public.