

Policy BBF: SCHOOL BOARD MEMBER ETHICS

Status: DRAFT

Original Adopted Date: 12/16/1999 | Last Revised Date: 12/15/2005

23C UPDATE EXPLANATION

MSBA has updated this policy to comply with the Missouri School Improvement Program (MSIP):

MSIP 6, L2: "The local board and administration conduct school system business in an ethical, legal, and transparent manner."

MSIP 6, B to L2: "The local board adopts and adheres to its policy on legal and professional ethics for school board members."

A list of core principles for office holders will always fall short. Instead, remembering the duties of care, loyalty and trust is simpler to keep in mind and explain. These overarching principles should drive decisions in a manner consistent with the aspirations of the MSIP 6 program.

If all members employ these principles when acting and voting, the interests of the district, as opposed to the individual, will prevail.

Board members accept the fiduciary responsibilities of holding a public office for school district governance on behalf of district residents and in accordance with the laws of Missouri and the United States.

The key principles to be observed in upholding these responsibilities are the duties of care, loyalty and public trust.

Duty of Care – Board members will be attentive to the responsibilities of their office including, but not limited to, those set out by law, board policy and board directive. They will act in good faith and in a reasonably prudent manner after due consideration of all provided information. Under the duty of care, board members will prepare for meetings by reading the provided information and contacting the superintendent for clarification. Board members will consider the ideas and opinions of administrators, advisors and other board members as well as any input received from district residents before casting a vote in meetings. Board members will effectively manage district assets, ensure quality staffing and resources, monitor district processes and demonstrate accountability for decisions.

Duty of Loyalty – Board members will place the interests of the district and its students before personal interests. In general, board members cannot use their positions of trust, confidence and inside knowledge to further their own personal interests or those of their family and friends. Board members will avoid nepotism and conflicts of interest and will take only those actions that will advance the district mission and vision.

Duty of Public Trust – Board members will act in a manner that builds and maintains the community's confidence that the board is acting legally, ethically, responsibly, transparently and in the best interest of the students and the taxpayers. Board members will avoid even the appearance of impropriety. The duty of public trust includes, but is not limited to, the obligation to follow the law, meaningfully engage the public, keep the public informed of board decisions and admit and correct mistakes. Board members will interact professionally with other board members, the superintendent, district staff and stakeholders.

No list can comprehensively capture all the decisions and actions required under the duties of care, loyalty and trust. However, a board member adhering to the requirements of the office will:

1. Remember that the first and greatest concern must be the educational welfare of the district's students.
2. Govern through board-adopted policies and follow board-adopted policies and directives.
3. Make every effort to attend all board meetings and arrive at meetings prepared to discuss the agenda items.
4. Avoid conflicts of interest or the appearance thereof and safeguard confidential information.
5. Recognize that the board acts only as a formally convened body and that individual board members have no independent authority to speak or act on the board's behalf unless they are designated by the board to do so.
6. Delegate board policy administration and school operations to a qualified superintendent and maintain a

productive professional relationship with the superintendent and district staff.

7. Make employment decisions based on applicant qualifications and benefits to the district rather than personal interest.

Members of the Platte Co. R-III School District Board of Education accept the responsibility to improve public education in the Platte Co. R-III School District. To that end, all board members will:

1. Remember that the first and greatest concern must be the educational welfare of all students attending the public schools.
2. Obey the laws of Missouri and the United States.
3. Recognize that individual board members have no authority to speak or act for the board.
4. Work with other board members to establish effective board policies.
5. Delegate authority for the administration of the schools to the superintendent.
6. Encourage ongoing communications between board members and stakeholders.
7. Render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups.
8. Make every effort to attend all board meetings.
9. Become informed concerning the issues to be considered at each meeting.
10. Improve boardmanship by studying educational issues and by participating in in-service programs and training.
11. Support the employment of staff members based on qualifications and not as a result of influence.
12. Maintain a process of regular and systematic assessment of the educational system, in order to provide accountability for the school district.
13. Avoid conflicts of interest or the appearance thereof.
14. Refrain from using their board position for the benefit of family members, business associates or themselves.
15. Express personal opinions but, once the board has acted, accept the will of the majority.
16. Refrain from divulging confidential information presented during closed sessions, except when required by law.
17. Insist that school funds be spent prudently and effectively to provide maximum educational benefits.
18. Resist every temptation and outside pressure to use my position as a school Board member to benefit either myself or any other individual or agency apart from the total interest of the school district.
19. Respect the rights of others to advance and defend their opinions on an issue up for consideration.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 162.031, RSMo.

Description

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClYWU73Tdpv4JZYxrPDw==>

§§ 105.450-.452, .454, .458, .462, RSMo.

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

§§ 162.261, .471 RSMo.

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

§§ 531.010 – .060, RSMo.

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

§162.091, RSMo.

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

MO COURT

Bd. of Educ. v. Tiedemann, 69 Mo. 515, 518 (1879) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

MO COURT

Bank of Belton v. Wray, 55 Mo. App. 646 (1894) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

MO COURT

Consol. Sch. Dist. No. 6 v. Shawhan, 273 S.W. 182 (Mo. Ct. App. 1925) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

MO COURT

Bonsack & Pearce, Inc. v. School Dist., 49 S.W.2d 1085 (Mo. 1932) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

MO COURT

Brickey v. Nolte, 169 S.W.2d 50 (Mo. 1943) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

MO COURT

Consol. Sch. Dist. v. Powell, 221 S.W.2d 508 (Mo. 1949) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

MO COURT

St. Louis Cty. v. Kelly, 377 S.W.2d 328, 332 (Mo. 1964) -
<https://simbli.eboardsolutions.com/SU/UbQL1xGtQpuhwEoCYu2lOw==>

Mo. Const. art.VII § 11

State Constitution -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

Cross References

DA

Description

FISCAL RESPONSIBILITY -
<https://simbli.eboardsolutions.com/SU/eTDu4d5z1zRDQNzscy7DHg==>