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To: Members of the Board of Education
From: Doug Larson
Re: First Readings
Date: July 6, 2016

Policy and Legal Services will conduct one First Reading during the next Board of Education meeting. A summary of the policy's content is provided.

Article II.C. Board of Education Commitments and Ethics

Due to a clerical error, this policy was adopted in February 2016 without a statement regarding participation in the Utah Retirement Systems for elected officials. This statement conforms District policy and practice with the Utah State statutory postemployment restrictions for public employees or former public employees who wish to serve on the Board of Education.

Article II.C. Board of Education Commitments and Ethics

A. Board of Education Commitments

The Board and its members commit to standards of conduct that are consistent with the public trust placed in elected officials. Accordingly, the Board and its members will:

1. strive to make policies that promote the educational growth and development of all students;
2. endeavor to appoint the most competent person available as superintendent of schools and hold that superintendent responsible for carrying out the vision, mission, and goals of the District in the administration of its schools;
3. support and allow administrators, teachers, and staff to function in their authorized capacities while holding employees responsible for carrying out the District's vision, mission, and goals in their respective roles;
4. seek to employ the best qualified personnel available without regard to race, color, sex, pregnancy, religion, national origin, age, marital status, disability, sexual orientation, or gender identity—except when justified to meet a bona fide occupational requirement (*see* 20 U.S.C. 1681 *et seq.*; Utah Code, §34A-5-101 *et seq.*; and Utah Administrative Code, R277-112);
5. promulgate policies and procedures dedicated to maintaining a learning and working environment in the District free of discrimination and unlawful harassment, including sexual harassment;
6. promulgate policies and procedures that ensure operational transparency, including directing employees to maintain, manage, and where appropriate, produce records consistent with federal and state laws (*see* 20 U.S.C. § 1232g; 34 C.F.R. Part 99; and Utah Code, 63-2-101 *et seq.*);
7. attend Board meetings, insofar as possible, being informed and prepared to discuss and act upon the items on the Board agenda;
8. conduct Board business in compliance with the *Utah Open Meetings Act* (Utah Code, §52-4-1 *et seq.*);
9. exercise Board authority exclusively to perform legislative and judicial functions;
10. encourage free expression of opinion and seek regular communication and feedback from the public;
11. work toward consensus in Board decision making and foster respectful and civil working relationships with other Board members and with the superintendent and

District staff while recognizing the value of diverse perspectives and differences of opinion; and

12. strive to be effective educational leaders by participating in professional development, studying education issues, fulfilling assigned Board duties, building relationships with community organizations and leaders, communicating with constituents, and advocating for public education.

B. Board of Education Code of Ethics

1. Members of the Board may receive compensation for services and necessary expenses in accordance with Utah Code, §53A-3-202. For purposes of Utah Retirement Systems (URS) coverage, however, duly elected members of the Board are classified as part-time employees and ineligible for URS benefits.
2. Members of the Board may not use their position, or information acquired by reason of their position, for any improper or unlawful purpose including substantially furthering personal economic interests or securing special privileges or benefits for themselves or others that would impair the members' independent judgement or interfere with the ethical performance of the members' duties in violation of Utah Code, §67-16-4.
3. The Board will officially accept gifts and donations on behalf of the District; such acceptance, however, shall not obligate the Board to act in any way contrary to the best interests of students and the public. Further, the Board or its members shall not request, demand, or accept personally or on behalf of the District, a loan, donation, gift of substantial value, or an economic benefit tantamount to a gift in violation of Utah Code, §§67-16-5 to 5.6.
4. The Board and its members shall not misappropriate or misuse public funds or resources and shall be responsible fiscal managers of public funds. Expenditure of public funds shall only be made in accordance with federal or state law and District policies.
5. Members of the Board shall disclose any compensation or any position (whether officer, director, agent, employee, or owner of a substantial interest) in any business entity that does business with or is subject to the regulations governing the District or other public agency in a sworn affidavit and file it with the state attorney general, the District, and any other agency involved in the business or transaction consistent with Utah Code, §§67-16-6 to 8. Further, members of the Board shall have no personal investments and/or conduct any business creating a substantial conflict of interest between Board members' private interests and their public duties in violation of Utah Code, §67-16-9.
6. Members of the Board shall maintain the confidentiality of information obtained in executive session or other confidential information otherwise obtained in an official capacity.

7. Members of the Board have no individual authority to act on behalf of the Board and the Board only exercises its authority as a body by taking official action through voting in a duly scheduled Board meeting. Individual Members of the Board should not speak on behalf of the Board without prior Board approval.

8. Members of the Board shall abide by state and federal laws and District policies and refrain from personal or professional conduct that would bring censure, ridicule, damage, or reproach upon the Board or the District.