



National School Boards Association

LEADERSHIP Insider

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PRACTICAL PERSPECTIVES ON SCHOOL LAW & POLICY

A Membership Benefit of NSBA National Affiliates

Doing the Right Thing

Your public expects you to be 'ethical,' but that isn't always easy

By Lisa Soronen

If you want to get rich and famous, perhaps school board membership is not the right path to take. But, getting "famous" via school board membership may be easier than you think.

After receiving a few wary looks when I made this statement at a gathering of new school board members, I offered a recent front-page story from my hometown newspaper as proof: "City Council Members Violate Open Meetings Act." There it was—local, elected public officials who were famous (albeit just in my small hometown) for meeting at a local restaurant and discussing council business without notifying the public or making the "meeting" open to them.

When school board members, like city council members, violate ethics requirements, community members understandably get upset, and board members and their violations appear in the local newspaper. School board members have been chosen by their peers to represent the public in making choices about the community's most precious resource, so they have little room to err.

Being ethical is not as easy as it sounds, however, for two important reasons.

What Is Ethical and Fair?

First, it is not always clear what is ethical and what is unethical. Sometimes ethical requirements are specified in statutes, and sometimes ethical questions are answered in case law or in opinions by the state attorney general. But it is unlikely that even these combined sources will contemplate every ethical question a

functions approved by the board." The statute goes on to say that reimbursement must be approved before the expense is incurred and the expense must be consistent with a policy adopted by the board specifying categories of expenses. What the statute does not say is what categories boards cannot or should not reimburse or what specific dollar amount in each category can or should be reimbursed.

A second reason is that sometimes ethical requirements simply don't seem fair—or, perhaps more accurately, the concerns the requirements address do not seem to apply to the situation at hand.



When school board members violate ethics requirements, community members understandably get upset, and board members and their violations appear in the local newspaper.



board member might have. Likewise, even if your ethical question has been addressed by some source of law in your jurisdiction, it is likely that the law does not provide a clear answer.

For example, a Michigan statute states that a school district may pay the "actual and necessary expenses incurred by its members and employees in the discharge of official duties or in the performance of

For example, a newly elected board member became shocked and upset when I explained to him that he could no longer coach football for the district because of the doctrine of incompatible offices. (That is, the board member could not be both the master and the servant of the district.) He replied that he had played football as a student in the district years ago and had

See *Doing Right* on page 6

IN THIS ISSUE

2 What's 'legal' might not seem 'ethical'

3 Board ethics and effectiveness

7 Ethics laws, state by state

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The National School Boards Association is the nationwide advocacy organization for public school governance. NSBA's mission is to foster excellence and equity in public elementary and secondary education in the United States through local school board leadership. Founded in 1940, NSBA is a not-for-profit federation of state associations of school boards across the United States and the school boards of the District of Columbia, Hawaii, and the U.S. Virgin Islands.

About the National Affiliate Program

The National Affiliate Program extends NSBA's services directly to local school districts. School districts are eligible to join provided they are members in good standing of their state school boards association.

About the National Education Policy Network

The National Education Policy Network (NEPN) helps foster better communication, understanding and management of local school districts through better policy-making. It offers access to a sample policy clearinghouse and current policy-related resources, as well as publications and tools to help districts keep their policy manuals well-organized and up-to-date.

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The Council of School Attorneys provides information and practical assistance to attorneys who represent public school districts. It offers legal education, specialized publications, and a forum for exchange of information, and it supports the legal advocacy efforts of the National School Boards Association.

In the Eye of the Beholder

When it comes to board members' actions, what is 'legal' might not seem 'ethical'

By Jay Worona

It's a good thing people don't join the local school board expecting that the job will automatically bring accolades and compliments. For the most part, such job benefits are absent in what, in many instances, are simply unpaid and unappreciated positions of public service.

Luckily, board members see their positions as providing worth to their communities and to the children in their schools. And luckily, most aren't waiting by the phone for a compliment. However, as public education's failures continue to be highlighted in the news media over and above any coverage of its successes, board members are often seen as part of the problem.

That's what happened recently in Long Island, N.Y., where a school business official and a superintendent were charged with the theft of millions of dollars of taxpayer funds. In the aftermath of that scandal, everyone in the district—including members of the board—has been criticized as being, at worst, complicit in the crimes or, at best, asleep at the wheel. Moreover, in numerous other instances, the New York State comptroller has called into question the fiduciary responsibilities and ethics of all school board members in the state.

Legal or Ethical?

These circumstances present an opportunity for all board members to focus on how others are likely to view their actions—even if those actions present absolutely no problem legally. For example, it might not matter to the public whether board members are legally authorized, as they are in New York, to vote on employing their spouse as a member of the teaching force. Legal or not, such actions may be considered ethically problematic by members of the community.

In short, what is legal is not necessarily considered ethical. School board members may be authorized to do a host of things that their publics believe demonstrate the existence of unethical behavior on the part of board members.

Most states have ethics provisions that

bar board members, as public officials, from accepting gifts—especially in situations in which accepting a gift might be interpreted as being influenced to do business with a particular corporation or entity.

For example, it's common for board members and other public officials to accept dinner invitations from vendors when they are attending conventions and other events. But even if the price of the dinner is less than the legal limit on gifts imposed in the state's ethics law, a board member nevertheless may be perceived to be "ethically challenged" by accepting the invitation.

The same applies to any activity in which the appearance of impropriety can be perceived to exist in the minds of taxpayers. And, once a board member's ethics have been questioned, it may not make any difference whether the board member is legally correct or not.

Thought Before Action

Sometimes members of the public choose to scrutinize board members' activities microscopically with the very intent of trying to catch them in compromising positions. To protect themselves from charges of unethical behavior, board members should stop and think before taking any action.

I advise board members to ask themselves these questions: Would the action pass the "smell test"? That is, might the action seem unethical to others, even if it is legal? And, can the action be credibly legitimized to the public?

Board members don't have to live in Long Island to be under such great scrutiny. In all communities, there may be individuals who have agendas that are contrary to the interests of particular sitting school board members—individuals who look for opportunities to destroy board members' reputations.

Accordingly, as a general rule of thumb, all school board members should carefully think through their actions before they act.

Jay Worona is general counsel for the New York State School Boards Association in Albany (www.nyssba.org).

Ethics for Effective Board Members

Successful board service demands fair, honest, professional relationships

By Karen Walking Eagle

Ethics. Effectiveness. Two different concepts that go hand-in-hand. If your actions are guided by a sound, ethical code of conduct, chances are good that you will be an effective board member who produces results.

Ideally, your board's code of ethics will shape your attitudes and guide your behavior as you relate to students, parents, school and district staff, the superintendent, other members of the community, and fellow board members. Given the board's influence, it is extremely important for board members to articulate, internalize, and document specific, mutually agreed upon ethical principles.

You should review this "code of ethics" or "code of conduct" frequently, both individually and as a board, to ensure that it is not forgotten amidst the rush of daily duties and deadlines. It should also be among the first items you place in the hands of new board members.

NSBA and several school boards around the country have already developed codes of conduct (see box on this page).

Honesty, trust, fairness, and integrity should be a part of your board's operating code. As you implement the following recommendations, you will show that your commitment to public education and the schoolchildren in your district goes beyond mere lip service. In other words, you will demonstrate that you are willing to work for what you believe in.

Relationships with Students and Parents

A sound code of conduct for school board members begins with a genuine commitment to strive for high-quality public education that supports the full development of all children. It involves understanding that our nation's strengths include its freedoms; its racial, ethnic, and religious diversity; and its commitment to educational excellence and equity for all children.

You must be committed to continuing these traditions, and you must be committed to working effectively with others to do so. Get to know the students for whom you work, and initiate conversations with

their parents. Make it clear that you will be an advocate for schools and for children and that all your decisions and actions will be guided by your number one objective: to do what is best for students.

Relationships with School Staff

Encourage principals, teachers, and other school staff members to share their ideas and opinions with you, and incorporate their views in your deliberations and decisions. They are on the front lines, so to speak, and are a valuable source of information about existing needs and problems. Keep abreast of current educational issues within your own school system, throughout the state, and across the nation.

In addition, learn all you can about

research on school effectiveness, successful reform initiatives, and other curricular and instructional developments. In so doing, you will be better able to assess current and future educational needs and impartially evaluate and select the instructional strategies and materials that are best for your district's students.

Relationships with District Staff

Develop personnel and administrative policies that give district staff members the responsibility and authority they need to work effectively in their assigned positions. In addition, be careful to establish fair and equitable terms and conditions of employment and evaluation for all school employees.

Your own success and effectiveness will depend, to a large extent, on the knowledge, skills, and abilities of those charged with implementing board policies. For that reason, it is important that your board develop a hiring system and policies that will identify the most competent job applicants. Afterwards, be willing to step back

CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

The NSBA Board of Directors endorses the following code for local school board members:

As a member of my local board of education, I will strive to improve public education, and to that end I will:

- Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings;
- Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- Encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;
- Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;

- Communicate to other board members and the superintendent expression of public reaction to board policies and school programs;

- Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards association;
- Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- Avoid being placed in a position of conflict of interest;
- Take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law; and
- Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

Approved by the NSBA Board of Directors April 19, 1979; reviewed and approved by the board Feb. 2, 1996; reviewed and approved by the board Nov. 10, 1999.

and let staff members do their jobs without intervening inappropriately.

Relationship with the Superintendent

Work with your colleagues on the board to establish effective policies by which the superintendent can administer the school. Maintain clear lines of com-

important to earn respect and show respect. Fortunately, both can be accomplished by adhering to many of the same basic principles:

- **Be prepared.** Increase your knowledge and understanding of substantive and procedural issues and topics that are relevant to your job—especially local, state, and national laws; trends and devel-

meetings, and devote sufficient time, thought, and study to proposed actions.

- **Be professional.** Do not shirk your professional responsibilities as a board member. Make every attempt to attend all board meetings and events. Although you may be busy, give each issue the attention it deserves, and try not to focus on a limited agenda, no matter how compelling or important it is to you personally.

Put everything of importance in writing: the board's mission statement, goals, bylaws, code of conduct, and administrative and operational procedures. Treat these written documents as benchmarks against which you will evaluate how you spend your time and resources, and use them to assess your progress.

Work to build bridges among your colleagues on the board and between the board and other groups in the community. Your colleagues will be more likely to consider your opinion, or be persuaded by your arguments, if they admire your attitude, tone, and behavior.

- **Be fair and objective.** Your students depend on you to do the right thing, so have an open mind. Accept and fairly

The types of relationships you foster with fellow members, particularly those with whom you disagree, will affect your effectiveness as a board member.

munication with him or her and provide unambiguous directives. Remember, your role is that of planner and policy maker; the superintendent is responsible for implementation.

Do not undermine the superintendent's authority or intrude into spheres of responsibility that properly belong to the school administration. Demonstrate civility and respect at all times, especially in the midst of conflict and disagreement. Recognize that it is in the board's best interest to promote public confidence in the superintendent and to support his or her efforts to become a strong educational leader.

Relationships with the Community

Be a cheerleader for the public schools in your community, and encourage the public to support your schools by giving of their time and resources. Communicate the goals of the board clearly, and be ready to explain the rationale—legal, educational, financial, and otherwise—for all the decisions you make.

Base those decisions on the available facts and your independent judgment, and refuse to surrender that judgment to individuals or special-interest groups. Do not compromise your convictions or avoid confrontation merely to improve your chances for re-election; remember, your most important goal is to do what is best for children.

Relationships with Board Members

The types of relationships you foster with fellow members, particularly those with whom you disagree, will affect your effectiveness as a board member. It is very

important to earn respect and show respect. Fortunately, both can be accomplished by adhering to many of the same basic principles:

• **Be prepared.** Increase your knowledge and understanding of substantive and procedural issues and topics that are relevant to your job—especially local, state, and national laws; trends and devel-

opments in education; and parliamentary, budgetary, and policy-related procedures and processes. This can be accomplished by participating in workshops and seminars and reading books, journals, and other materials on specific subjects. Always do your homework before board

ETHICS ONLINE

Training in school board ethics is going online. One state school boards association already offers such a course, and another will do so within a few months.

The **Oregon School Boards Association** offers a course titled "School Board Ethics: Know the Standards." This course is designed to help board members understand:

1. How the statutory and regulatory rules govern school board member conduct.
2. The penalties for violation of those rules.
3. How school board members can adopt policies regulating their conduct and the conduct of the staff.

The course introduces the various laws and policies regulating school board member conduct in the governance of the district. The primary focus is on government ethics; however, the course also examines other types of ethical dilemmas frequently encountered in everyday life.

Beginning in 2005, the **Texas Association of School Boards** will begin

offering "School Board Ethics," a course exploring the concept of ethics in the context of actions performed by the school board and superintendent team. The distinction between ethical and unethical behaviors will be addressed in video vignettes of real-life situations and activities that reflect upon them.

This course is designed for use by board-superintendent teams as well as individual board members. It will be divided into three modules exploring (1) the generic concept of ethics, (2) ethical behaviors in the context of the board-superintendent team, and (3) the distinction between ethical and unethical board member behaviors and how board-superintendent teams can prevent many unethical board member behaviors.

More information about these courses can be found at their respective Online Learning Center campuses:

- Oregon: www.nsba.org/olc/olc.cfm?assn=8
- Texas: www.nsba.org/olc/olc.cfm?assn=5

evaluate new concepts, really listen to what people have to say, and be willing to consider alternative solutions to problems. Know the difference between personal influence and factual persuasion. Be willing to listen to constructive criticism. At all times, support and protect the civil and human rights of all members of the school community. Maintain a sense of perspective and a sense of humor.

- **Be honest and open.** Do not use your office for personal or partisan gain or for the benefit of your family, friends, church, or special-interest group. Reveal all business or social relationships that you have with organizations or individuals with whom the school district does business.

Do not make promises to citizens that you lack the authority to make, and take no private action that will compromise the school system, the board, or the administration. Avoid being placed in a position of conflict of interest. If you disagree with particular decisions or regulations, do not take actions in secret; instead, try to bring about change through legally established procedures.

Handle public matters in a public forum and private matters in closed sessions. Respect the confidentiality of information that is privileged, and do not make unauthorized revelations to the public or the press.

- **Be a team player.** As an individual board member you lack both power and authority. However, as a member of the board team, you have the ability to affect change and bring about important improvements. Strive for teamwork. Even when you vote with the minority on a particular issue, support the majority and share responsibility for the majority's decision. Recognize that a divided board is usually a weaker, less-effective board.

Finally, unless it is absolutely necessary, do not criticize or air dirty laundry in public. Your district and your students stand to lose when you undermine those in the public school system with whom you work.

If your school district's written policies don't include a code of conduct for board members, check with your state school boards association or the National School Boards Association for guidance in developing one.

Karen Walking Eagle is an attorney and former teacher who conducts evaluations of education programs and initiatives on behalf of various government agencies, private foundations, and other youth-serving organizations.

Ethics in New Jersey

State legislation covers school board ethics, training, and financial disclosure

By Elaine Kille

New Jersey has been in the vanguard when it comes to legislating ethical behavior for school board members. The School Ethics Act was enacted in 1992. It applies to "school officials," who are defined as board members, charter school trustees, and administrators who make decisions regarding hiring or acquiring services by the district. In 1995, the law was amended to also apply to professional employees and officers of the New Jersey School Boards Association.

The law grew out of proposed legislation that would have covered all local government officials in the state. NJSBA lobbied mightily and successfully to remove school board members from the bill. Our position was that board members were already prohibited by law from participating in situations that created a conflict of interest; moreover, many of the bill's provisions did not apply to boards of education.

To clarify that we were not opposed to ethical standards for school board members, and in support of our own policies, we crafted legislation to apply specifically to board members.

After the political battles over both proposals had been waged, two almost identical laws were left standing, one for school board members and one for other local government officials. The law for school board members has been invoked early and often; the law for local government officials much less so.

The main thrust of the School Ethics Act is to describe prohibited conduct and activities for school officials and their immediate family members (spouses or dependent children living in the same household), mandate training in board member responsibilities to be provided by NJSBA, and establish procedures for filing annual financial statements.

Enforcing the Law

The law includes a mechanism for enforcement by establishing the School Ethics Commission, a body of nine unpaid members appointed by the governor. They are to consist of two board members, two school administrators, and five members of the general public. Not more than five

commission members may be of the same political party.

Complaints may be brought to the commission by anyone alleging violation of the act, including commission members themselves. The commission deliberates and determines by majority vote of six out of nine whether the act has been violated or if the complaint should be dismissed. To discourage school officials from using the act against each other for spurious or political purposes, a fine of as much as \$500 can be levied for frivolous complaints.

If the commission decides that a violation of the act has occurred, it can recommend sanctions of reprimand, censure, suspension, or removal from the board. The commission recommends a penalty to the commissioner of education, who actually determines the sanction but cannot tamper with the violation determination. Appeals proceed to the state board of education.

School officials may also petition the commission for advisory opinions to determine if a proposed activity would constitute a violation. Advisory opinions are confidential, except when the commission deems the opinion to be of sufficient general interest to warrant making it public. When advisory opinions are published, the identities of the individuals and boards involved are removed to maintain confidentiality.

Adding a Code of Ethics

In 2001, the act was amended to require that all school board members adhere to a Code of Ethics for School Board Members. This is essentially the same code adopted by the NJSBA Delegate Assembly in 1975, which has been a part of many boards' policy manuals ever since. Here is the code specified in the act (NJSBA 18A:12-24.1):

- I will uphold and enforce all laws, rules, and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.

- I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public

schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.

- I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

- I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.

- I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.

- I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

- I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its schools.

- I will vote to appoint the best-quali-

fied personnel available after consideration of the recommendation of the chief administrative officer.

- I will support and protect school personnel in proper performance of their duties.

I will refer all complaints at public meetings only after failure of an administrative solution.

To emphasize how seriously boards should regard this code of ethics, the state board of education adopted further requirements. Local boards must now:

- Discuss the School Ethics Act and the Code of Ethics for School Board Members annually at a regularly scheduled public meeting;

- Adopt policies and procedures regarding training in understanding the code of ethics;

- Ensure that each member of the board receives, reads, and familiarizes himself/herself with the code;

- Ensure that each member signs an acknowledgement of receipt of the code; and

- Provide documentation that each member has received and reviewed the code.

The state's monitoring of district oper-

ations now includes reviewing board policy on training board members on the code of ethics.

The Legislation at Work

Since its inception 13 years ago, the School Ethics Commission has heard cases on every aspect of the act, including such violations as failing to attend training within required time limits and failing to file financial disclosure information or filing false statements.

Sanctions have run the gamut. Most commonly, the recommended punishment is public censure, reprimand, or suspension from the board for a limited time, but some board members have been removed from office.

Interestingly, in the three years since the Code of Ethics for School Board Members was enacted, the commission has decided only 11 cases concerning it. In all cases, the board members were found not to have violated the code.

Elaine Kille was a policy analyst for the New Jersey School Boards Association for the past 15 years. She is now a partner in Kille and Petracco, an educational and policy consulting group in New Jersey.

Doing Right

Continued from page 1

coached for years in the district.

To help him make sense of this ethical requirement, I asked him to envision this scenario: The superintendent thinks the football coach/board member should be terminated from coaching because of a lack of skill or some other reason. Consider how awkward it would be for the superintendent to tell this to "the boss" (that is, the board member) and how awkward it would be for the football coach/board member to vote on the status of his own job. While the new board member could see my point, at least theoretically, he still had a hard time seeing how it applied to him, considering his years of successful coaching for the district.

Staying Ethical

So, given these challenges, what can school board members do to remain ethical? I recommend taking the following steps:

1. **Learn the ethical requirements of your state.** Find out what topics are covered by the sources of ethics law in your state. Then learn the "black letter law"

and familiarize yourself with the "gray areas" also. Determine the reasoning behind ethical requirements so that if you have to make a decision about a gray area, you'll understand the spirit of the law.

2. Determine where to go for help.

Many ethical dilemmas have no clear answers, so find some people you trust who can help you work through ethical challenges. For example, your board may consult legal counsel employed by the state school boards association, or you may ask for advice from your district's legal counsel. In some states, you may also be able to ask a state ethics board or the attorney general for an opinion about a specific ethical question.

3. **Consider the outcome.** When a clear answer is not forthcoming, ask yourself, "If the local media found out I did X, would a story about it appear in the newspaper?" When there is no statute, case, or attorney general opinion addressing a particular ethical issue, a board member will not be tried in a judicial court for an ethical breach but may be tried in the court of public opinion.

Ultimately, when pondering unclear ethical dilemmas, it's important to make choices that are in line with the values of

the community you represent. Of course, this is not easy. Reasonable minds may disagree on what is right, and community members may lack the information and experience to judge board members' decisions fairly.

For example, it may be difficult for a small-town board member to convince community members that spending \$25 for lunch in San Francisco while attending the NSBA annual conference was reasonable, given the city's high cost of living and the need to select a restaurant near the convention hall so the board member would be back in time for the next session.

This issue of *Leadership Insider* provides legal and ethical guidance for school board members nationwide and describes how the school boards associations in four states are addressing the issue through legislation, an advisory council, and online training.

Also included in this issue is the NSBA code of ethics for school board members and a chart of state ethics laws.

Lisa Soronen (lsoronen@nsba.org) is a staff attorney for the National School Boards Association.

ETHICS LAWS, STATE BY STATE

Some state laws establish ethics standards that apply to school board members in the performance of their official responsibilities and duties. In some states, the statutes apply generally to all elected or other public officials. Other states have specific ethics laws for school board members. The following quick-reference chart indicates whether each state's law is general (G) or specific (S) and what types of conduct it addresses. An expanded chart, including comments and statutory references, is online on the *Insider* page of the NSBA National Affiliate website, www.nsba.org/na.

STATE	GENERAL OR SPECIFIC STATUTE	CONFLICTS OF INTEREST	USE OF OFFICE FOR PERSONAL GAIN	SOLICITATION/ ACCEPTANCE OF GIFTS	CONFIDENTIAL INFORMATION FOR PERSONAL GAIN
ALABAMA	G	X	X	X	X
ALASKA	G	X			
ARIZONA	G	X			
CALIFORNIA	G/S	X		X	
COLORADO	G	X	X	X	X
CONNECTICUT	None				
DISTRICT OF COLUMBIA	G	X	X	X	X
DELAWARE	G	X		X	
FLORIDA	G	X		X	
GEORGIA	G/S	X			
HAWAII	G	X		X	
IDAHO	G				
ILLINOIS	G			X	
INDIANA	G	X		X	
IOWA	G/S			X	
KANSAS	G	X			
KENTUCKY	G	X			
LOUISIANA	G/S	X		X	
MAINE	G/S	X			
MARYLAND	G/S	X		X	
MASSACHUSETTS	G	X		X	
MICHIGAN	G	X	X	X	X
MINNESOTA	G	X		X	X
MISSISSIPPI			X		X
MISSOURI	G	X	X	X	X
MONTANA	G	X	X		X
NEBRASKA		X		X	
NEVADA	G	X	X	X	X
NEW HAMPSHIRE	G	X	X	X	
NEW JERSEY	S	X	X	X	X
NEW MEXICO	S	X			
NEW YORK	G	X	X	X	X
NORTH CAROLINA	G	X	X	X	X
NORTH DAKOTA	S	X		X	
OHIO	G/S	X	X	X	
OKLAHOMA	S	X			
OREGON	G	X	X	X	X
PENNSYLVANIA	G	X		X	
RHODE ISLAND	G	X	X	X	X
SOUTH CAROLINA		X	X	X	
SOUTH DAKOTA	G	X		X	
TENNESSEE	G	X			
TEXAS	G/S	X		X	
UTAH	G/S	X	X	X	X
VERMONT	G				
VIRGIN ISLANDS	G	X	X		X
VIRGINIA		X		X	X
WASHINGTON	G	X	X	X	X
WEST VIRGINIA	G		X	X	
WISCONSIN	G	X	X	X	
WYOMING	G	X			

Tennessee's Ethics Advisory Council

Educating board members about ethical behavior

Many school boards, and some states, have codes of conduct or ethics that guide their members' actions. But enforcement remains a major stumbling block to ensuring ethical board behavior. After all, few board members relish the idea of turning in colleagues—and where would a board member who has concerns go, anyway?

In Tennessee, some school board members are trying a new approach. The Tennessee School Boards Association (TSBA) established an Ethics Advisory Council in 2002. The council's primary functions are to educate board members about appropriate ethical behavior and to serve as a resource to them on ethical issues.

According to Tammy Grissom, TSBA executive director, the Ethics Advisory Council was established "to encourage ethical behavior among school board members through education and awareness."

The council's stated goals are to:

1. Encourage a high standard of ethical behavior among school board members;
2. Raise school board member awareness of the TSBA Code of Ethics;
3. Provide ongoing education and training on ethics; and
4. Answer board members' inquiries regarding specific ethical issues and concerns.

TSBA's Board of Directors also serves as the association's Ethics Advisory Council. The council members do not constitute a governing body, however.

Advice from the council is available to board members, superintendents, and

for school board members to make an initial inquiry about a potential ethics violation," Grissom says, "and then the inquiry will be referred to the council. To date we have not had any board member inquiries."

TSBA expects that will change, however, given the council's plans. On the drawing board are:

- Including more discussion on ethical issues and appropriate ethical behavior in



Enforcement remains a major stumbling block to ensuring ethical board behavior



board secretaries through a link on the TSBA website (www.tsba.net; click on "About TSBA").

All questions about potential ethics violations are kept confidential, and the board member or members involved do not need to be identified. The TSBA board believes the council will be used more often if board members can make inquiries without having to identify themselves or the board member in question.

Looking Ahead

So how is it working? "We have a staff person listed on our website as a contact

school board academies.

- Regularly featuring an ethics question and opinion in one of TSBA's publications.

- Requiring that any board seeking TSBA Board of Distinction status adopt the association's code of ethics (also on the website). Each member of these boards must sign a pledge attesting to the board's intention to adhere to the code.

By adhering to the code of ethics, school board members will make decisions that are in the best interest of our students, ensuring that they will receive the best education possible. ■



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