

The School Board of Gadsden County

Bylaws & Policies

Unless a specific policy has been amended and the date of the policy was revised is noted at the bottom of that policy, the bylaws and policies of The School Board of Gadsden County were adopted on June 25, 2013, and were in effect beginning June 26, 2013.

0120 - POWERS, BOARDMANSHIP, AND ETHICS

0121 **Responsibilities and Authority of the Board**

The School Board is responsible for the organization and control of the public schools of the District and is empowered to determine the policies necessary for the effective operation and the general improvement of the school system. The Board is constituted by the State Constitution and Florida statutes.

Section 4, Article IX, Florida State Constitution
F.S. 1001.40

0122 **Board Powers**

The School Board shall be an elected body and also a corporate body, and, as such, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing, and disposing of real and personal property; taking and holding in trust for the use and benefit of the District, any grant or devise of land and any donation or bequest of money or other personal property.

F.S. 1001.41, 1001.42, 1001.43

As prescribed by law, the general powers of the Board are the determination of educational policies; the adoption of such rules and regulations to supplement those prescribed by the State Board and the Commissioner of Education as will contribute to the more orderly and efficient operation of the school system; the determination of minimum standards; and the performance of any duties that are assigned to it by law or by State Board regulations and that are found by it to be necessary for the improvement of the school system in carrying out the purposes and objectives of the Florida Constitution and Florida statutes.

The Board shall perform all duties found in Florida statutes and shall provide educational opportunity as required by Florida statutes.

F.S. 1000.41, 1001.42

0122.1 **Member Powers**

School Board members as individuals do not separately possess the powers that reside in the Board. Board members shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is pursuant to specific official instructions of the Board.

0123

Standards for Boardmanship

While serving on the School Board, each member shall agree to uphold the following standards:

- A. remember that the first and greatest concern must be the educational welfare of all students attending the public schools, regardless of ability, race, creed, sex, or socio-economic status;
- B. obey the law of Florida and the United States and bring about desired changes through legal and ethical procedures;
- C. respect the confidentiality of privileged information;
- D. recognize that as an individual Board member there is no authority to speak or act for the Board;
- E. avoid conflicts of interest or the appearance thereof;
- F. delegate authority for the administration of the schools to the Superintendent and staff;
- G. encourage ongoing communications among Board members, the Board, students, staff, and the community;
- H. render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups;
- I. make a concerted effort to attend all Board meetings and workshops;
- J. become informed concerning the issues to be considered at each meeting;
- K. improve boardmanship by studying educational issues and by participating in in-service programs and FSBA activities;
- L. support the employment of staff members based on qualifications and not as a result of influence;

- M. cooperate with other Board members and the Superintendent to establish a system of regular and impartial evaluations of all staff;
- N. cooperate in assessing the effectiveness of the Board as a whole as well as each Board member;
- O. refrain from using the Board position for personal benefit or the benefit of family members or business associates;
- P. express personal opinions but, once the Board has acted, accept the will of the majority;
- Q. encourage recognition of the achievements of students and staff and the involvement and support of business and community members; and
- R. comply with all duties and responsibilities set forth in the K-20 Education Code and the Code of Ethics for Public Officers and Employees.

0124

Standards of Ethical Conduct

The School Board hereby establishes the following as the standards of ethical conduct for all members of the Board:

- A. A Board member shall:
 - 1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
 - 2. not unreasonably restrain a student from independent action in pursuit of learning.
 - 3. not unreasonably deny a student access to diverse points of view.
 - 4. not intentionally suppress or distort subject matter relevant to a student's academic program.
 - 5. not intentionally expose a student to unnecessary embarrassment or disparagement.
 - 6. not intentionally violate or deny a student's legal rights.
 - 7. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and

shall make reasonable efforts to assure that each student is protected from harassment or discrimination.

8. not exploit a relationship with a student for personal gain or advantage.
9. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
10. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
11. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
12. not use institutional privileges for personal gain or advantage.
13. accept no gratuity, gift, or favor that might influence professional judgment.
14. not directly or indirectly solicit any gift, or directly or indirectly accept any gift in excess of \$50.00, from any person, vendor, potential vendor, or other entity doing business with the School District. The term "gift" has the same meaning as in F.S. 112.312(12). This prohibition applies as well to relatives, as defined in F.S. 112.312(21).
15. offer no gratuity, gift, or favor to obtain special advantages.
16. maintain honesty in all professional dealings.
17. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
18. not interfere with a colleague's exercise of political or civil rights and responsibilities.
19. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or

- discrimination.
20. not make malicious or intentionally false statements about a colleague.
 21. not use coercive means or promise special treatment to influence professional judgments of colleagues.
 22. not misrepresent one's own professional qualifications.
 23. not submit fraudulent information on any document in connection with professional activities.
 24. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
 25. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
 26. provide upon the request of a certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
 27. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules.
 28. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, Board members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).
 29. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

30. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
 31. cooperate with the Education Practices Commission in monitoring the probation of a subordinate.
 32. comply with all duties and responsibilities set forth in the K-20 Education Code and the Code of Ethics for Public Officers and Employees.
- B. All Board members shall adhere to the principles enumerated above. Furthermore, pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student which the Board member knows to be false or incorrect, or knowingly fail to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel and school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student. Violation of these provisions will result in the forfeit of the Board member's salary for one (1) year.

All Board members shall be encouraged to complete training on the standards established herein upon election and annually thereafter.

F.S. 112.313, 1001.42(6), 1001.421, 1012.23
F.A.C. 6B-1.001, 6B-1.006