

Section B: School Board Operations	Knox County Board of Education Policy			
	Code of Ethics	Descriptor Term:	Descriptor Code:	Issued:
			B-220	7/95
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DEFINITIONS

1. "School district" means Knox County School District, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the school district or an official of the school district.
2. "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or agent, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or agent thereof, of the school district.
3. "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

DISCLOSURE OF PERSONAL INTEREST IN VOTING MATTERS

An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

DISCLOSURE OF PERSONAL INTEREST IN NON-VOTING MATTERS

An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall file a conflict of interest disclosure statement, before the exercise of the discretion when possible, the interest and this disclosure shall be properly filed and maintained by the Director of Schools. All supervisory personnel shall annually file a conflict of interest disclosure statement with the Director of Schools. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

CONFLICT OF INTEREST

The Director of Schools, members of the Board of Education, administrative, supervisory, or teaching personnel or other school officer shall have no financial interest, directly or indirectly, in supplying books, maps, school furniture, or apparatus or other compensated services for the schools or to act as agent for any author, publisher, bookseller, or dealer in school furniture or apparatus.¹

1. School employees may not purchase for sale to students any goods or equipment or render any service to the school system on a commission basis;
2. Employees who have patented or copyrighted any device, publication, or other item shall not receive royalties for use of such item in the school system;
3. Employees shall not engage in any type of work where the source of information concerning a customer, client, or employer originates from information obtained through the school system;
4. The Board shall make no purchase of supplies, materials, or equipment from a school system employee, and²
5. Employees shall not sell instructional supplies, equipment and reference books in a territory that includes the parents of the children of the school in which the employee is assigned.
6. Employees shall be permitted to hold employment outside the school system so long as such activities do not (a) occur during the school day, or (b) interfere with regularly scheduled or appropriately assigned duties for the school system, or (c) reflect unfavorably on the school system.

The Director of Schools shall not take any other contract under the Board, to perform any other service for additional compensation, to act as principal or teacher in any school, or to become the owner of a school warrant other than that allowed for his service as Director of Schools or as secretary to the Board.³

ACCEPTANCE OF GIFTS AND OTHER THINGS OF VALUE

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district that a reasonable person would understand was intended to influence the vote, official action or judgment of the official or employee in executing decision-making authority affecting the school district.

It shall not be considered a violation of this policy for an official or employee to receive:

1. Entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide professional association or by an umbrella or affiliate organization of such statewide association.
2. Gifts from a member of an employee's or official's immediate family or from an individual if the gift is given for a nonbusiness purpose and is motivated by a close personal friendship and not by the position of the employee of public official.
3. Food and refreshments of nominal value when they are part of the elected official or employee's participation in a charitable, civic, political or community event, which bears a relationship to the official or employee's office and the official or employee is attending in an official capacity;
4. Food, refreshments, foodstuffs, entertainment and beverages provided as part of a meal or other event if the value of such items does not exceed thirty-five dollars (\$35) per occasion,

1 with a limit of two (2) meals per day. Entrance fees, admission fees, or tickets shall be
 2 valued on the face value of the ticket or fee, or on a daily or per event basis, whichever is
 3 greater.

4 **MISUSE OF PUBLIC POSITION**

6 No public officer or county employee shall corruptly use or attempt to use his or her official position or
 7 any property or resource which may be within his or her trust, or perform his or her official duties, to
 8 secure a special privilege, benefit or exemption for himself, herself or others.
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10 **USE OF GOVERNMENT PROPERTY**

12 No public official or employee shall make use of the facilities, equipment, personnel, or supplies of the
 13 county or its agencies for private use or gain except to the extent that the use is incidental or minimal or is
 14 lawfully available to the general public.
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16 **ETHICS COMPLAINTS**

18 The school district may create a School District Ethics Committee (the "Ethics Committee") consisting of
 19 three members who will be appointed to one-year terms by the Chair of the Board of Education with
 20 confirmation by the Board of Education. At least two members of the committee shall be members of the
 21 Board of Education. The Ethics Committee shall convene as soon as practicable after its appointment and
 22 elect a chair and a secretary. The records of the Ethics Committee shall be maintained by the secretary and
 23 shall be filed in the office of the director of schools, where they shall be open to public inspection.
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26 Questions and complaints regarding violations of this Code of Ethics or of any violation of state law
 27 governing ethical conduct should be directed to the Chair of the Ethics Committee. Complaints shall be in
 28 writing and signed under oath by the person making the complaint, and shall set forth in reasonable detail
 29 the facts upon which the complaint is based.
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31 The School District Ethics Committee may investigate any credible complaint against an official or
 32 employee charging any violation of this Code of Ethics, or may undertake an investigation on its own
 33 initiative when it acquires information indicating a possible violation, and make recommendations for
 34 action to end or seek retribution for any activity that, in the Committee's judgment, constitutes a violation
 35 of this Code of Ethics. If a member of the Committee is the subject of a complaint, such member shall
 36 recuse himself or herself from all proceedings involving such complaint.
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38 The Committee may:

- 39 1. refer the matter to the Board Attorney for a legal opinion and/or recommendations for action;
- 40 2. in the case of an official, refer the matter to the school board body for possible public censure if
 41 the board body finds such action warranted;
- 42 3. in the case of an employee, refer the matter to the official responsible for supervision of the
 43 employee for possible disciplinary action if the official finds discipline warranted;
- 44 4. in a case involving possible violation of state statutes, refer the matter to the district attorney for
 45 possible ouster or criminal prosecution.
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5. Dismiss a complaint based on the record if it is found to have no merit.

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Any complaint brought pursuant to this policy must be filed with the Ethics Committee within one year of the allegation.

EXCEPTIONS TO POLICY

The Director of Schools or the Director’s designated representative may make exceptions to this policy when it is determined to be in the best interest of the school system and provided that:

- 1. the exception does not violate any statutory or regulatory constraints under which the school system must operate;
- 2. the request for exception is made in writing and approved prior to taking the action(s) in question;
- 3. the exception is granted in writing and for a specific instance or occurrence.

Nothing in this policy should be considered to prohibit a teacher or employee from accepting a gift made in the aggregate from a student group, parent group, or community group or organization in recognition of services rendered to the group, organization or the community in general. However, such gifts should be modest and should not be presented in such a manner as to influence an action or to constitute payment for services rendered.

Legal References:

- 1. T.C.A. § 49-6-2003.
- 2. § 9.08 Knox County Charter Provisions .
- 3. T.C.A. § 49-2-301(c).

Approved as to Legal Form
By Knox County Law Director 7/25/2016
/Gary T. Dupler/Deputy Law Director