

CODE OF ETHICS
Sharon Springs Central School District

A resolution establishing standards of conduct for officers and employees of the Sharon Springs Central School District of Sharon Springs, New York.

BE IT RESOLVED, by the Board of Education of the Sharon Springs Central School District of Sharon Springs, New York, as follows:

Section 1. Purpose.

The Board of Education of the Sharon Springs Central School District of Sharon Springs, New York ("School District") recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. Therefore, pursuant to the provisions of section eight hundred six (806) of the General Municipal Law, the Board of Education hereby promulgates these rules of ethical conduct for the officers and employees of the Sharon Springs Central School District of Sharon Springs, New York. These rules of ethical conduct as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen (18) of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. Definitions.

(a) "Officer or Employee" means a member of the Board of Education, officer, agent or employee of the Sharon Springs Central School District of Sharon Springs, New York, whether paid or unpaid, including members of any administrative board, committee or other agency thereof.

(b) "Interest" means direct or indirect pecuniary or material benefit accruing to an officer or employee as the result of a contract or agreement with the School District. For purposes of this policy a municipal officer or employee shall be deemed to have an interest in the contract of

(1) his/her spouse, minor children and dependents except a contract of employment with the School District;

- (2) a firm, partnership or association of which such officer or employee is a member or employee;
- (3) a corporation of which such officer or employee is an officer, director or employee; and
- (4) a corporation, of which five percent or more of outstanding stock is owned or controlled directly or indirectly by such officer or employee.

Section 3. Standards of Conduct.

Every officer or employee of the Sharon Springs Central School District of Sharon Springs, New York shall be subject to and abide by the following standards of conduct:

(a) Gifts. (S)he shall not, directly or indirectly, solicit any gift, or accept or receive any gift having a value of seventy-five (\$75) dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

It is recognized and understood that an exchange of gifts between employees, teachers and/or students is a tradition of the holiday season. Nothing herein should be construed as prohibiting such an exchange provided discretion is used to ensure that gifts of value are not accepted by employees or officers. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

(b) Confidential Information. (S)he shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interests.

In addition, (s)he shall not disclose information regarding any matters discussed in an executive session of the Board of Education whether such information is considered "confidential" or not.

(c) Compensation for Services Rendered.

(1) (S)he shall not receive, or enter into any agreement, express or implied, for compensation for any services, other than those services for which (s)he is

employed as an employee of the School District, to be rendered in relation to any matter before the School District.

(2) (S)he shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the School District, whereby his/her compensation is to be dependent or contingent upon any action by the School Board with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

- (d) Disclosure of interest in matters or resolutions before the Board of Education. To the extent that (s)he knows thereof, any officer or employee of the School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the School District on any matter or resolution before the School District shall immediately and publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest (s)he has in such matter or resolution.
- (e) Investments in conflict with official duties. (S)he shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his/her official duties.
- (f) Private employment. (S)he shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.
- (g) Future employment. (S)he shall not, after the termination of service or employment with the School District, appear before any board or agency of the School District, in relation to any case, proceeding, agreement or application in which (s)he personally participated during the period of his/her service or employment or which was under his/her active consideration.
- (h) Conflicts of Interest Prohibited. Except as provided below, (s)he shall not have an interest in any contract with the School District when (s)he, individually or as a member of a board, has the power or duty to

- (1) negotiate, prepare, authorize or approve payment thereunder;
- (2) audit bills or claims under the contract; or

(3) appoint an officer or employee who has any of the powers or duties set forth above, and no chief fiscal officer, treasurer, or his/her deputy or employee, shall have an interest in a bank or trust company designated as a depository paying agent, registration agent or for investment of funds of the School District of which (s)he is an officer or employee.

(l) Exceptions. The provisions of (h) above shall not apply to:

(1) a contract with a person, firm, corporation or association in which (s)he has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract;

(2) the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law;

(3) a contract with a membership corporation or other voluntary non-profit corporation or association;

(4) the sale of bonds and notes pursuant to Section 60.10 of the local finance law;

(5) a contract in which (s)he has an interest if such contract was entered into prior to the time (s)he was elected or appointed, but this shall in no event authorize a renewal of any such contract;

(6) any other exceptions as specified in Article Eighteen (18) of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 4. Lawful Benefits.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the School District arising out of any personal injury or property damage or for any lawful benefit authorized or permitted under the laws of the State of New York.

Section 5. Distribution of Code of Ethics.

The Superintendent shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the School District within 10 days after the effective date of this resolution. Each officer and employee elected, appointed or employed thereafter shall

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be furnished with a copy before entering upon the duties of his/her office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with this code.

Section 6. Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Section 7. Effective Date.

This policy shall take effect on August 22, 2005.

ref: General Municipal Law §§ 800-808