

POLICY

BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

Related Entries: BAF

Responsible Office: BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

BOARD MEMBER ETHICS AND PROFESSIONAL STANDARDS

A. PURPOSE

To establish a policy regarding the required and expected conduct of members of the Board of Education of Anne Arundel County (Board). The Board recognizes that, in accordance with the State Public Ethics Law, this policy will help assure the public of the impartiality and independent judgment of Board members and help avoid improper influence or even the appearance of improper influence. The Board also recognizes the importance of setting minimum professional standards for the conduct of Board and school system business.

B. ISSUE

1. In the best interests of all Anne Arundel County Public Schools (AACPS) students, the Board is committed to the highest ethics and professional standards and strives to help improve public education in Anne Arundel County.
2. In accordance with the Board Member oath of office, the Board recognizes that our system of representative government is dependent upon the people maintaining the highest trust in their public officials, and thus the Board finds and declares that the people have a right to be assured that the impartiality, professionalism, integrity, and independent judgment of public officials shall be maintained.
3. It is evident that this confidence and trust is eroded when the conduct of public business is subject to improper influence and even the appearance of improper influence.
4. For the purposes of guarding against improper conduct, the Board adopts this ethics and professional standards policy to set minimum standards for Board members in the execution of school system business.

C. DEFINITIONS

1. ***Conflict of Interest*** – a situation wherein a Board member is confronted with an issue or circumstance:
 - a. In which the Board member or an immediate family member has a personal financial interest; or
 - b. That could render the Board member biased and unable to prioritize the interests of AACPS students, AACPS parents/guardians, AACPS employees, and the community.
2. ***Improper Influence*** – any influence that induces or tends to induce a Board member to give consideration to or act regarding a Board action on any basis other than the merits of the matter.
3. ***Use of Prestige*** – the intentional use of the public position of being a Board member:
 - a. For the private gain of the Board member or the private gain of another; or
 - b. To influence, except as part of the official duties of the official or as a usual and customary constituent service by a member of the Board without additional compensation, the award of a contract to a specific person.

D. POSITION

1. **Professional Standards Related to Board Member Responsibilities**
 - a. Board members shall:
 - i. Abide by Policy BAF – Ethics and Conflict of Interest;
 - ii. Show respect for fellow Board members, the Superintendent, AACPS students, AACPS parents/guardians, AACPS employees, and the community;
 - iii. Carryout the executive, legislative, and quasi-judicial responsibilities of the Board, in accordance with State laws and regulations;
 - iv. Make decisions based upon the best interests of AACPS students, public education, and AACPS as a whole and not solely those interests of any particular special interest group;
 - v. Understand that authority rests with the Board as a whole and not with individual Board members;

- vi. Recognize that individual Board members have no authority to bind, speak, or act for the Board, except as authorized by the Board as a body;
- vii. Attend at least 75 percent of the scheduled meetings of the Board in accordance with State law and as defined in the *Board of Education Handbook*;
- viii. Keep the discussions in Board meetings focused on the issues of governance in order to have public sessions conducted in an efficient, professional, and business-like manner;
- ix. Prepare for discussions and actions on issues before the Board in both open and closed sessions by reading materials in advance of meetings, including committee meetings;
- x. Collaborate with fellow Board members and the Superintendent regarding issues facing the Board or AACPS, including communicating with fellow Board members and the Superintendent, when possible, regarding any concerns, priorities, or issues in advance of scheduled meetings of the Board;
- xi. Support official actions, policies, and positions of the Board; and
- xii. Continually strive to expand skills in governance and knowledge of public education via:
 - a) Conferences;
 - b) Workshops;
 - c) Seminars;
 - d) Books and publications;
 - e) Retreats; and
 - f) Other education-related professional development.

2. Professional Standards Related to School System Administration

- a. In accordance with State law, Board members shall refrain from interfering with the Superintendent's administration of school operations.
- b. In accordance with State law and the Superintendent's contract, Board members

shall refrain from contacting school system staff directly without coordination with the Superintendent in advance, unless agreed to or authorized by the Superintendent.

- c. Board members shall work collaboratively with the Superintendent and refer criticisms, complaints, and suggestions concerning the school system and its operations to the Superintendent.
- d. In accordance with State law, individual Board members may not give direction to the Superintendent or any staff member regarding the management of the school system and may not give direction to the Superintendent or any staff member regarding the solution of specific issues.
- e. Board members shall cooperate with school system audits and other similar school system reviews when requested to do so.
- f. Board members shall:
 - i. Successfully complete a fingerprint-supported background check upon being elected to the Board before having access to AACPS students or school facilities; and
 - ii. Abide by school system requirements for additional fingerprint-supported background checks during their term in office.

3. Board Member Ethics in Accordance with the Maryland State Public Ethics Law

- a. Board members shall avoid conflicts of interest in all matters considered by the Board, and shall act ethically and in a manner consistent with State laws and regulations and Board policy. Accordingly, Board members may not:
 - i. Use the prestige of office for the Board member's personal gain or the personal gain of another;
 - ii. Participate in an official action, decision, or matter before the Board where the Board member or an immediate family member has an interest as defined in Policy BAF – Ethics and Conflict of Interest;
 - iii. Engage in any conduct or activity that would impair the Board member's impartiality or independence of judgment in carrying out the executive, legislative, and quasi-judicial responsibilities of the Board;
 - iv. Hold any employment relationship that would impair the Board

member's impartiality or independence of judgment in carrying out the executive, legislative, and quasi-judicial responsibilities of the Board;

- v. Other than in the discharge of official duties, disclose any confidential information acquired through an individual's position as a Board member, under any circumstances, including use of confidential information for the Board member's personal benefit or the personal benefit of another;
 - vi. Attempt to exercise individual authority over the Board or the school system;
 - vii. Solicit gifts; or
 - viii. Accept gifts from lobbyists or those regulated by AACPS, doing business with AACPS, or seeking to do business with AACPS.
- b. i. Board members shall seek an advisory opinion from the Board Ethics Panel regarding a potential conflict of interest, in accordance with this policy and any other applicable Board policy.
- ii. Board members shall disclose a conflict of interest and recuse themselves or abstain from participating in any decision or action where the conflict of interest exists.

4. Violation

- a. A Board member who violates this policy is subject to disciplinary action by the Board up to and including a recommendation to the State Board of Education for removal.
- b. In accordance with State law, a Board member may be removed for:
 - i. Immorality;
 - ii. Misconduct in office;
 - iii. Incompetency;
 - iv. Willful neglect of duty; or
 - v. Failure to attend, without good cause, at least 75 percent of the scheduled meetings of the Board in any 1 calendar year.

Policy History: Adopted on 05/20/20; Technical Edit 01/09/25

Note Previous Policy History: None

Legal References: Sections 3-2A-08, 4-102, 4-108, and 5-185 of the Education Article; Sections 5-815-818 of the General Provisions Article; *Board of Education Handbook*