
Attention: Prospective School Board Candidates

The New Jersey School Ethics Act requires local board of education members to—

- ★ **File Disclosure Statements.**
- ★ **Adhere to a Code of Ethics.**
- ★ **Undergo training in the responsibilities of school board membership.**

State Board of Education code (N.J.A.C. 6A:28-1 et seq and N.J.A.C. 6:3-1.3) clarifies school board members' responsibilities under the School Ethics Act. The basic requirements, as stated in the Act, are listed below.

DISCLOSURE: Each year by April 30 (or within 30 days after taking office), school officials—including board members—must disclose sources of income and the employment or contractual relationship of relatives with the school district. The disclosure statements are public records, kept by the county superintendent and the local school board secretary. The School Ethics Commission has access to the disclosure statements through the county office.

FINANCIAL DISCLOSURE: The Act's financial disclosure provisions do not require the reporting of dollar amounts of income—only sources of income above a certain amount. Board members must report the sources of income for themselves and the members of their immediate families (spouse and dependent children living in the household).

The financial disclosure statement must include—

- ❖ Sources of income exceeding \$2,000 for each family member during calendar year 2004. (Interest or securities income need not be reported unless the family member retains more than 10% of the ownership or control of the financial institution or business organization.)
- ❖ Sources of fees and honoraria earned by each family member during calendar year 2004, which totaled more than \$250. (Fees and honoraria are payments for such services as personal appearances, speeches or writing.)
- ❖ Sources of gifts, reimbursements or prepaid expenses valued at more than \$250 that were received by each family member during calendar year 2004. (Gifts from relatives need not be reported. Relatives include spouse, children, parents or siblings of the board member.)
- ❖ Names and addresses of all business organizations in which the board member or a member of his or her immediate family had an interest during 2004. (Interest in a business is defined as ownership or control of more than 10% of the profits, assets or stock of the business.)

PERSONAL/RELATIVE DISCLOSURE: The law also requires board members to disclose the following:

- ❖ The name and position of any relative employed by the school district in which the board member serves.
- ❖ The nature of any contract between the district and the board member or his or her relative.
- ❖ The name of any business that has a contract with the school board and with which the board member or relative has one of the following relationships: (1) The board member or relative is *employed* by the business, or (2) The board member or relative receives *compensation* from the business; or (3) The board member or relative has an *interest* in the business. (Interest in a business is defined as ownership or control of more than 10% of the profits, assets or stock.)

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CODE OF ETHICS: In addition, the School Ethics Act requires school board members to abide by the following Code of Ethics for School Board Members:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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 school.
- h. I will vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
- i. I will support and protect school personnel in proper performance of their duties.
- j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

TRAINING: The School Ethics Act requires all new school board members to complete a training program conducted by the New Jersey School Boards Association on the skills and knowledge needed to serve as a board member. The training must be completed during the first year of the first term in office.

NJSBA provides this training through its New School Board Member Orientation Programs.