

Note to File
July 15, 2010
Daniel Mallin, outgoing Legal Counsel

Code of Ethics Revisions:

The ad hoc committee of the Board was working on the proposed revisions to Board policies 1540 and 9000B.

1. **9000A: Annual Statement of Economic Interests**

9000A was not expressly addressed by the ad hoc committee, but it occurred to me that it is a related issue that might be addressed as the same time as the Board is considering other policy issues related to conflicts of interest.

In **Paragraph 4 of the Procedure Section of 9000A**, I would suggest that the Board expressly consider whether to continue to require each individual Board member to fill out the annual statement of economic interests. It has become somewhat harder in the last few years to obtain complete participation by all Board members. The Board should either (1) remove the requirement as applied to Board members (and perhaps staff members as well); or (2) reaffirm their interest in and commitment to completing such annual submissions.

To the extent the Board continues to require anyone to file the annual statements, it may be worth examining whether the historical form still captures what the Board believes is valuable/important.

2. **9000B: Conflicts of Interest; Legal Duties**

The links to the statutes have been added to the draft policies, and the policy formatted for final consideration.

As one additional recommended change to **Paragraph 3** that was not considered by the Committee to this point, I suggest that the Board clarify that the duty of non-disclosure of confidential/privileged information continues beyond the term of office [highlighted in yellow to indicate material not discussed by the committee].

3. **1540:**

The Draft should conform to the committee's work.

In Paragraph 3 of this policy, language was added that reflects the notion found in the Superintendent/Board of Education Communication Plan that a Board Member should indicate the priority of a request (i.e., how soon is the information needed) when making the request so that expectations can be mutually established between the Board and the Administration.

The file path to the DRAFT document:

S:\Legal\All_DMallin_Files\My Documents\School Board\Policy\Interp or Change Requests\2010-11\1540 and 9000_Board Ethics\1540_9000_BoardEthics_DRAFT_07-2010.doc