

**SUBJECT: CODE OF ETHICS FOR ALL BOCES PERSONNEL**

**Policy**

Ethical standards of conduct increase the effectiveness of BOCES officers and employees as educators and public employees in the community. The WSWHE BOCES is committed to avoiding any situation in which the conduct of any officer (including Board members) or employee calls into question the integrity of the management or operation of the BOCES.

The overall standard of conduct expected of every WSWHE BOCES officer and employee is that they will not engage in any conduct that calls into question the integrity of the management or operation of the BOCES. Some specific examples of the type of conduct that violates this Code of Ethics are set forth below.

If a Board member's conduct fails to adhere to this Code of Ethics, the Board member may be subject to removal from the Board. If another officer or employee fails to adhere to this Code of Ethics, they will be subject to adverse employment action, including possible termination of employment, following procedures consistent with any applicable employment contract or collective bargaining agreement. Conduct that violates this Code of Ethics may also subject the officer or employee to civil or criminal penalties under New York State law.

**Standards of Conduct**

- a. Gifts: No officer or employee shall, directly or indirectly, solicit or accept or receive a gift under circumstances where it can reasonably be inferred that the gift was intended: (1) to influence them in the performance of their official duties, or (2) as a reward for any official action on their part. Among the prohibited gifts are money, services, loans, travel, entertainment, hospitality, and promises. This prohibition does not apply to gifts having a value less than \$75.
- b. Confidential Information: No officer or employee shall disclose confidential information acquired by them in the course of their official duties or use such information to further their personal interest.
- c. Services to Parties Coming Before the Board: No officer or employee may receive compensation for rendering any services to an outside party with a matter before the Board; nor may they enter into an express or implied agreement to receive such compensation. These prohibitions apply to agreements where the compensation is to be contingent upon the Board or the WSWHE BOCES administration taking, or not taking, a particular action.

d. Conflicts of Interest

1. *General Rule:* No officer or employee shall have an interest in any contract to which the WSWHE BOCES is a party if that individual's duties include: (a) negotiation, preparation, or approval of the contract or payment under the contract, (b) auditing bills or claims made under the contract, or (c) appointing someone who does any of those things. No chief fiscal officer or treasurer, or their deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or investor of funds of the WSWHE BOCES.
2. *Exceptions:* The situations described in Section 802 of the General Municipal Law shall not be considered violations of this Code of Ethics.
3. *Disclosure of Interests:* Any officer or employee of the WSWHE BOCES who has an actual or potential interest, or whose spouse has an actual or potential interest, in any proposed or existing contract to which the WSWHE BOCES is a party, must disclose the nature and extent of their interest to the Board, in writing, as soon as that person has knowledge of the circumstances. This disclosure shall be made a part of the Board's minutes.

e. Investment Conflicts: No officer or employee shall invest or hold any investment directly in any financial, business, commercial, or other private transaction that creates a conflict with their official duties.

f. Employment Conflicts: No officer or employee shall hold, seek, or promise to take employment that creates a conflict with, or impairs the proper discharge of, their duties and responsibilities at WSWHE BOCES.

g. Post-Service Conflicts: After an officer's or employee's service with WSWHE BOCES has ended, that person may not appear before the Board, or any panel or committee of the Board, in relation to any matter in which they had participated as an officer or employee of BOCES.

**District Superintendent Responsibilities**

Without diminishing the District Superintendent's general responsibility for implementation of Board Policy, the District Superintendent shall ensure that: (1) each officer (including Board members) and employee of WSWHE BOCES receives a copy of this Code of Ethics before entering into their duties, and (2) a copy of Article 18 of the General Municipal Law is posted in each building under the control of WSWHE BOCES in a place conspicuous to WSWHE BOCES officers and employees.

**Adopted: February 13, 2002**  
**Revised: November 14, 2007**