

**Board Operating Guidelines for
Board of Education Ethics**
(Attachment for Policy 008)

Purpose

The purpose of the Board Operating Guidelines is to effectuate Policy 008: Ethics, which instills public confidence that Board of Education (“Board”) Members are performing their duties as governance officers of the District with integrity and in the best interests of The School District of Philadelphia (“District”).

Procedures

Statement of Financial Interests

A [Statement of Financial Interest](#) as defined by the Ethics Act must be completed by each Board Member:

- Before taking the oath of office or entering upon duties.
- Annually by May 1 while serving on the Board.
- By May 1 of the year after leaving the Board.

If May 1 is not a business day, the annual Statement of Financial Interests must be filed on or before the next business day.

Office of the Board of Education staff (“Board staff”) and Office of General Counsel (“General Counsel”) are available to assist Board Members in meeting the deadlines to stay in compliance, but it is ultimately the individual responsibility of the Board Member to ensure they are in compliance.

Disclosure of New or Potential Conflicts of Interest

On an ongoing basis, Board Members shall provide to the General Counsel any actual or potential conflicts of interest and/or reasons for abstentions from votes. This information will be made available to Board staff and is intended to supplement the information provided on the Board Member’s Statement of Financial Interest form.

Each Board Member shall meet with General Counsel at least annually or as requested by the General Counsel or Board President to review and discuss any necessary updates to the Board Member’s actual or potential conflicts.

This information informs the identification of actual or potential conflicts of interest for the purposes of any necessary vote abstentions.

Generally speaking, a conflict of interest (actual or perceived) can take the form of both financial and non-financial relationships. Examples of such interests:

- Receipt of payment, in any form, from an organization or individual
- Ownership of stocks or shares in organizations
- Receipt of grants or funding
- Membership on the board of another organization
- Gifts
- Relationships that may impact impartiality (e.g. colleagues, family, mentor, previous supervisor/student)
- Commercial or business interests

Abstentions

Each month prior to taking any official action as a Board Member, each Board Member must review the action to be taken and identify if they believe they might have a conflict of interest.

If they identify a potential conflict of interest, they should notify via email the Board President, Chief of Staff for the Office of the Board of Education, and the General Counsel stating the action to be taken where there is a conflict and what the conflict is.

Reporting to General Counsel

Certain situations require Board Members to make a report to the General Counsel. These include:

- Board Members have reason to believe their impartiality, independence or integrity might reasonably be questioned when taking a vote
- Any offer/s from any person if the Board Member reasonably believes the offer was designed to influence the Board or could appear to be so designed

These reports should be made from the Board Member to the General Counsel through email or phone call.

Violations

Upon receipt of a concern or complaint that a Board Member has allegedly violated the Ethics Policy, the Ethics Act, or any other law, other than a traffic violation, General Counsel will notify the Board President, Vice-President, and Board Chief of Staff within 24 hours of receipt of the allegation.

The Board President will determine whether the matter should be reviewed internally by the General Counsel or some other office. That assigned reviewer will look into the facts of the allegation at the direction of the Board President and will provide a report to the Board President and Vice-President within 7 days, unless additional time is requested in order to develop the report.

In the event the Board President determines the complaint or concern should be referred to another authority such as the Mayor or State Ethics Commission, the General Counsel will support the Board President in drafting timely communication to facilitate referral of the matter.

If the Board President is the subject of an allegation, all communications and decisions will be made solely through the Vice-President and Board Chief of Staff.

If the Vice-President is the subject of the allegation, all communications and decisions will be made solely through the President and Board Chief of Staff.

Advice from General Counsel

Certain situations might require Board Members to seek advice from General Counsel. These include:

- Understanding the Ethics Policy, Ethics Act, or any other applicable law
- Seeking guidance on whether a potential conflict exists
- Seeking written permission for the solicitation or acceptance of payment for Hospitality, Transportation or Lodging or reimbursement of Hospitality, Transportation or Lodging expenses whose value exceeds \$50 from any person or entity

This advice should be requested from the Board Member to General Counsel through email or phone call.