

# Bradley County Schools

Johnny McDaniel  
Director of  
Schools

February 16, 2011

Tennessee Ethics Commission  
SunTrust Bank Building  
201 4<sup>th</sup> Avenue N Suite 1820  
Nashville, TN 37243

## RE: Adoption of Ethical Standards

The Bradley County Board of Education revised Board Policy 1.106 Code of Ethics. You are being provided a copy of the revised policy per the Comprehensive Governmental Ethics Reform Act of 2006.

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,



Sammie Humphrey  
Board Secretary



### Board of Education

**1st District**  
Richard Baker

**2nd District**  
Vicki Beaty

**3rd District**  
David Kelley

**4th District**  
Troy Weathers  
Chairman

**5th District**  
Rodney Dillard

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Christy Critchfield

**7th District**  
Charlie Rose

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BUREAU OF ETHICS  
& CAMPAIGN FINANCE

# Bradley County Board of Education

Monitoring:  <b>Review: Annually, in September</b>	Descriptor Term:  <b>Code of Ethics</b>	Descriptor Code: <b>1.106</b>	Issued Date: <b>12/09/10</b>
		Rescinds: <b>1.106</b>	Issued: <b>07/08/10</b>

## CODE of ETHICS

### Bradley County School District

#### A. PREAMBLE

We, believing in the worth and dignity of each human being, recognize the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals are the protection of freedom to learn and teach, and the guarantee of equal educational opportunity to all. We, of the Bradley County School System, accept the responsibility to adhere to the highest ethical standards in pursuit of these goals.

#### *Mission Statement:*

The mission of the Bradley County School System, in partnership with parents and the community, is to develop a literate, self-confident, creative and responsible citizen who can meet life challenges and who values life-long learning.

#### *Vision Statement:*

Bradley County Schools will be a welcoming center of educational excellence committed to total student development utilizing data-driven, research-based strategies.

#### B. GENERAL

1. In fulfillment of these guiding principles, it is imperative and should be remembered that **All** teachers, staff members, volunteers and those associated with Bradley County Schools, are part of our Educational Team; and as such, team members are bound by these Ethical statements and considerations.
2. The Bradley County School System Team member strives to create a learning environment that nurtures to fulfillment the potential of all students.
3. The Team member acts with conscientious effort to exemplify the highest ethical standards.
4. The Team member responsibly accepts that every child has a right to an uninterrupted education, free from discord, conflict and inappropriate behavior.
5. **Disclosure of personal interest in voting matters.** An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the

1 vote and to be included in the minutes, any personal interest that affects or that would lead a rea-  
2 sonable person to infer that it affects the official's or employee's vote on the measure. In addition,  
3 the official or employee may, to the extent allowed by law, recuse himself or herself from voting  
4 on the measure.

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6 **6. Disclosure of personal interest in non-voting matters.** An official or employee who must exer-  
7 cise discretion relative to any matter other than casting a vote and who has a personal interest in  
8 the matter that affects or that would lead a reasonable person to infer that it affects the exercise of  
9 the discretion shall disclose, before the exercise of the discretion when possible, the interest on the  
10 attached disclosure form \*\* and file the disclosure form with the school district's central office. In  
11 addition, the official or employee may, to the extent allowed by law, recuse himself or herself from  
12 the exercise of discretion in the matter.

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14 **7. Acceptance of gifts and other things of value.** An official or employee, or an official's or em-  
15 ployee's spouse or child living in the same household, may not accept, directly or indirectly, any  
16 gift, money, gratuity, or favor that is intended to influence a specific decision or a pending action  
17 of the official or employee whose duty it is to participate in the decision-making process affecting  
18 the school district.

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20 It shall not be considered a violation of this policy for an official or employee to receive entertain-  
21 ment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are  
22 provided in connection with a conference sponsored by an established or recognized statewide  
23 association of school board officials or by an umbrella or affiliate organization of such statewide  
24 association of school board officials.

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26 **C. PRINCIPLE I: Ethical Conduct toward Students**

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28 The Team member accepts personal responsibility for teaching students character qualities that will  
29 help them evaluate the consequences of, and accept the responsibility for, their actions and choices.

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31 We strongly affirm parents as the primary moral educators of their children.

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33 Nevertheless, we believe all team members are obligated to help foster civic virtues such as, integrity,  
34 diligence, responsibility, cooperation, loyalty, fidelity, respect for law, for human life, for others, and  
35 for themselves.

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37 The Team member, in accepting his or her position of public trust or employment, measures success  
38 not only by the progress of each student toward realization of his or her personal potential, but also as  
39 a citizen of the greater community of the republic.

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41 The Team member deals considerately and justly with each student, and seeks to resolve problems,  
42 including discipline, according to law and school policy.

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44 The Team member does not intentionally expose the student to disparagement.

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46 The Team member does not reveal confidential information concerning students, unless required by  
47 law.

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3 The Team member makes a constructive effort to protect the student from conditions detrimental to  
4 learning, health, and safety.

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6 The Team member endeavors to present facts without distortion, bias, or personal prejudice.

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8 **D. PRINCIPLE II: Ethical Conduct toward Practices and Performance**

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10 The Team member assumes responsibility and accountability for his or her performance and continu-  
11 ally strives to demonstrate competence and excellence in education.

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13 The Team member endeavors to maintain the dignity of others by respecting and obeying the law, and  
14 by demonstrating personal integrity.

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16 The Team member applies for, accepts, or assigns a position or a responsibility on the basis of profes-  
17 sional qualifications, and adheres to the terms of a contract or appointment.

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19 The Team member maintains sound mental health, physical stamina, and social prudence necessary to  
20 perform the duties of any professional assignment, position or employment.

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22 The Team member continues professional and personal growth.

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24 The Team member complies with written local school policies, applicable laws and regulations that  
25 are not in conflict with this code of ethics.

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27 The Team member does not misrepresent official policies of the school system or educational organi-  
28 zations, and clearly distinguishes those views from his or her own personal opinions.

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30 The Team member honestly accounts for all funds committed to his or her charge.

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32 The Team member does not use institutional assets or professional privileges for personal or partisan  
33 advantage.

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35 **E. PRINCIPLE III: Ethical Conduct toward Colleagues**

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37 The Team member, in exemplifying ethical relations with colleagues, accords just and equitable treat-  
38 ment to all members of the BCS team.

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40 The Team member does not reveal confidential information concerning colleagues and other team  
41 members unless required by law.

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43 The Team member does not willfully make false statements about colleagues, fellow team members or  
44 the school system.

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46 The Team member does not interfere with other's freedom of choice, and works to eliminate coercion  
47 that forces Team members to support actions and ideologies that violate individual professional integ-  
48 rity.

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3 **F. PRINCIPLE IV: Ethical Conduct toward Parents and Community**  
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5 The Team member pledges to protect public sovereignty over public education.  
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7 The Team member recognizes that quality education is the common goal of the public, boards of edu-  
8 cation, educators, and Team members and that a cooperative effort is essential among these groups to  
9 attain that goal.  
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11 The Team member makes concerted efforts to communicate to parents all information that should be  
12 revealed in the interest of the student.  
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14 The Team member endeavors to understand and respect the values and traditions of the diverse cul-  
15 tures represented in the community and in BCS.  
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17 The Team member manifests a positive and active role in school and community relations.  
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19 **G. Ethics Complaints**  
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21 The Bradley County School System shall create an Ethics Committee (the "Ethics Committee") con-  
22 sisting of three members who will be recommended by the Director of Schools to one-year terms for  
23 approval by the Chairman with confirmation by the board of education.  
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25 No member of the Ethics Committee shall be a member of the board of education or an employee of  
26 Bradley County Schools. The Ethics Committee shall convene as soon as practicable after its appoint-  
27 ment and elect a chair and a secretary.  
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29 Reappointment to the Ethics Committee may be made for up to 3 consecutive years; thereafter, a  
30 member shall rotate off the Ethics Committee for a period of one year before being eligible for reap-  
31 pointment.  
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33 The Ethics Committee shall establish a Screening Committee ( the Screening Committee") which shall  
34 assist the Ethics Committee in the initial evaluation of complaints or grievances. The Screening Com-  
35 mittee shall make a recommendation as to whether or not the Ethics Committee has jurisdiction over  
36 the issue(s) presented, as well as, whether or not there is sufficient evidence to warrant formal Ethics  
37 Committee review. In any event, the final decision is that of the Ethics Committee.  
38

39 The Screening Committee shall consist of three members recommended by the Director of Schools  
40 to one-year terms for approval by the Chairman with confirmation by the board of education. No  
41 member of the Screening Committee shall be a member of the board of education or an employee of  
42 Bradley County Schools. The Screening Committee shall convene as soon as practicable after its ap-  
43 pointment and elect a chair and a secretary.  
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45 Reappointment to the Screening Committee may be made for up to three (3) consecutive years; there-  
46 after, a member shall rotate of the Screening Committee for a period of one year before being eligible  
47 for reappointment.  
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## H. Complaints or Grievances

**Ethics Complaints or Grievances** received regarding alleged violations of this Code of Ethics, or of any violation of state law governing ethical or criminal conduct by persons subject to this Code of Ethics, shall be directed to the chair of the Ethics Committee.

Ethics Complaints or Grievances presented to the Ethics Committee shall:

- be made in writing on a form available in the Office of the Director of Schools, and shall set forth in reasonable detail the facts upon which the complaint is based, and the how the complainant acquired knowledge of the alleged violation;
- include the names of other witnesses, and their address or the manner in which they can be contacted;
- be signed by the person making the complaint, with their address and phone number;
- be delivered in a sealed envelope, addressed to the Chairman of the Ethics Committee at 800 South Lee Highway, Cleveland, Tennessee 37311; and
- shall relate to matters having their origin within eighteen (18) months of the filing of the complaint.

By filing a complaint, the signer is certifying that to the best of their knowledge, information and belief, the matter is not being presented for any improper purpose, such as to harass, embarrass or cause unnecessary delay or needless investigation; that the question is not frivolous; and that statements of fact contained in the complaint are truthful and can be supported by evidence other than hearsay.

Grievances or complaints presented on a hypothetical basis will not be considered.

If a member of the Committees is the subject of a complaint, such member shall recuse himself or herself from all proceedings related to such complaint.

An unsigned complaint or grievance shall receive no consideration. The complaint will be logged and destroyed by the Ethics Committee without further action.

Upon receipt of a written complaint, the Ethics Committee Chair shall:

- open the complaint in the presence of the Ethics Committee;
- create a file, affix a date stamp to the complaint, and assign a case number; and
- immediately direct the grievance or complaint to the Screening Committee Chairman, or
- in the case of a school system employee, forward the complaint to the Director of Schools.

The Ethics Committee may originate an investigation on its own initiative when it acquires information indicating a possible violation. It shall make recommendations for appropriate actions or sanctions for any activity that, in the Committee's judgment, constitutes a violation of this Code of Ethics.

## I. Screening Committee

The Screening Committee shall, within 30 days, begin an inquiry into the complaint,

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- request additional information to be provided within 30 days; or
- return the complaint to the Ethics Committee with a recommendation for closure;
- return the complaint to the Ethics Committee as a valid complaint requiring further inquiry or investigation by the Ethics Committee

**J. Ethics Committee**

Upon return of a complaint from the Screening Committee, the Ethics Committee may, by two-thirds vote, adopt the recommendation of the screening committee. Should the Screening Committee recommend that the Ethics Committee not proceed with an inquiry or investigation, the Ethics Committee may, by a two-thirds vote, elect to overrule the recommendation and proceed with an inquiry or investigation.

Upon inquiry or investigation by the Ethics Committee, the Committee may:

1. refer the matter to the Board Attorney for a legal opinion and/or recommendations for action;
2. in the case of an public official, refer the matter to the school board for public censure, if it finds such action warranted;
3. in the case involving possible violation of state statutes or criminal laws, refer the matter to the district attorney for ouster proceedings or criminal prosecution.

Every effort shall be made to prevent disclosure of the Complaint, its originator and its contents until such time as formal actions are initiated by a filing of the original complaint, the findings of the Screening Committee and the Ethics Committee in public session with the school board.

The Ethics Committee shall insure that complaints are expeditiously resolved, and shall routinely report the status of the grievance process to the school board. The Ethics Committee has 30 days to initiate closure of the complaint or continue with an inquiry or investigation.

Complainants who fail to provide the requested information within thirty (30) days will cause action on the complaint to be suspended.

Prior to Formal Action, the contents, and where necessary for clarity/context, the name of the complainant may be disclosed to legal counsel whose advice is sought for guidance.

No attempt to waive the requirements of the Ethics Policies of the Bradley County Board of Education shall be considered, or voted upon by the board of education.

No motion to override or delay the action of the Ethics Committee shall be heard once the Committee requests formal action of the board.

The records of the Ethics Committee shall be maintained by the Ethics Committee secretary, and shall be filed, upon formal action being commenced, in the office of the director of schools, where they shall be open to public inspection.

Complaints found by the Ethics Committee to be spurious, frivolous, false, fictitious, or without basis in fact shall be destroyed after results are duly recorded.

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The Ethics Committee shall advise the complainant of its action prior to any recommendation of Formal Action by the school board.

The interpretation that “a reasonable person under the circumstances” would apply shall be used in interpreting and enforcing this Code of Ethics.

**K. Confidentiality:**

Pending completion of any ethics investigation, all materials received, acquired or produced shall be considered Confidential work product, and not subject to disclosure by the Screening Committee or Ethics Committee except to those involved in the said inquiry.

Upon action by the Ethics Committee, reporting of the number and type of complaints may be made public; however, specific identifying information shall not be disclosed.

Upon a recommendation of “Formal Action by the Board of Education”, all documentation will be delivered to the Board and the Director of Schools.

**L. School Board Actions**

Upon the filing of a “Request for Formal Action” by the Ethics Committee, the School Board shall proceed to notify the public, and the subject of the Complaint, of its intention to hear the complaint within thirty (30) days.

**M. Definitions**

1. “School district” means Bradley County School District, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees, commissions, authorities, corporations or other instrumentality appointed or created by the school district or an official of the school district.
2. “Officials and employees” means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee, volunteer or servant thereof, of the school district.
3. “Personal interest” means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official’s or employee’s spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.