

**Policy 1007
ETHICS CODE FOR
SCHOOL BOARD MEMBERS**

**SCHOOL BOARD WORKSHOP
DECEMBER 11, 2012**

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
K.C. WRIGHT ADMINISTRATION BUILDING**

POLICY 1007
ETHICS CODE FOR SCHOOL BOARD MEMBERS

Revised Policy 1007 was last reviewed by the School Board at its Workshop on July 31, 2012. At that time, the Board gave direction to make additional changes. It is now back on the Workshop agenda for discussion after its presentation at the Public Rule Development Workshop on October 30, 2012.

At the Rule Development Workshop, there was one question from a member of the District Advisory Committee who was in attendance. He inquired as to the definition of a “potential vendor” as referenced in the policy in section 2.3. The General Counsel advised that the phrase “potential vendor” was from Section 1001.421, F.S. and that the Legislature had not provided a definition for the phrase, nor had it been interpreted by any court to date.

The attached draft policy incorporates revisions brought to the July 31, 2012 Workshop, as well as Board Member comments made during same (please see color copy - Red text delineates initial revisions; blue text reflects changes made after the Workshop). The material initially presented at the July 31, 2012 Workshop is also provided for reference.

ETHICS CODE FOR SCHOOL BOARD MEMBERS

Part 1. General Provisions.

1.0 **Statement of Policy.** The purpose of this policy is to create a culture that fosters public trust and confidence in government in general and The School Board of Broward County, Florida (“The School Board”) and avoids conflicts of interest and appearances of impropriety. It is the personal responsibility of each School Board Member to perform his or her official duties in a completely transparent and honest manner. It is the policy of The School Board that each School Board Member represents and works for the benefit of the people of Broward County. To that end, the following Ethics Code is enacted to regulate the conduct of School Board Members.

1.1 **Standards of Conduct.** The following standards of conduct for School Board Members are hereby adopted and are in addition to any other ethical standards mandated by federal, state or local law, as applicable, including, without limitation, the following:

- (a) The Code of Ethics for Public Officers and Employees - Chapter 112, Part III, Florida Statutes, as interpreted by the Florida Commission on Ethics;
- (b) Chapter 838, Florida Statutes, concerning Bribery; Misuse of Public Office;
- (c) Chapter 839, Florida Statutes, concerning Offenses by Public Officers and Employees;
- (d) Title 18 – 63 U.S.C. Section 1341, *et seq.* concerning Mail Fraud and Other Fraud Offenses;
- (e) The Ethics in Education Act, Chapter 2008-108, Laws of Florida; ~~and~~
- (f) The Florida Code of Ethics for the Education Profession, Sections 6B-1.001 and 6B-1.006, Florida Administrative Code; ~~and~~
- (g) Section 1001.421, Florida Statutes, prohibiting district school board members and their relatives from soliciting or accepting certain gifts.

In the event of a conflict between the standards of conduct prescribed by this policy and any other standard for conduct including, without limitation, those listed above, the more stringent standard of conduct shall be applicable to School Board Members.

1.2 **Definitions.** Unless otherwise defined herein, the operative words or terms within this policy shall be as defined in Chapter 112, Florida Statutes, and as such, words or terms are interpreted by the Florida Commission on Ethics.

The following general definitions shall be used for the purposes of this policy:

(a) **“Lobbyist”** means any natural person who was registered with the school district as a lobbyist during the preceding twelve (12) months or who, for compensation, seeks, or sought during the preceding twelve (12) months, to influence the governmental decision-making of The School Board or an official of the school district, or sought during the preceding twelve (12) months, to encourage the passage, defeat, or modification of any proposal or recommendation by The School Board or an official of the school district.

(b) **“Gift”** in this policy shall be defined as that which is accepted by a School Board Member or by another on the School Board Member’s behalf, or that which is paid or given to another for or on behalf of a School Board Member, directly, indirectly, or in trust for the School Board Member’s benefit or by any other means, for which equal or greater consideration is not given within ninety (90) days, including, but not limited to:

1. Real property,
2. The use of real property,
3. Tangible or intangible personal property,
4. The use of tangible or intangible personal property,
5. A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex or national origin;
6. Forgiveness of an indebtedness,
7. Transportation, lodging or parking other than that provided to a School Board Member by an agency in relation to officially approved governmental business,
8. Food or beverage,
9. Membership dues,
10. Entrance fees, admission fees, or tickets to events, performances, or facilities,
11. Plants, flowers or floral arrangements,
12. Services provided by persons pursuant to a professional license or certificate,
13. Other personal services for which a fee is normally charged by the person providing the services, or
14. any other similar service or thing having an attributable value not already provided for in Section 112.312(12)(a), Florida Statutes.

(c) “**Principal**” in this policy refers, in the context of lobbyist activities, to person or entity that employed a lobbyist or personnel during the preceding twelve (12) months to influence the governmental decision-making of The School Board or an official of the school district, or sought during the preceding twelve (12) months, to encourage the passage, defeat, or modification of any proposal or recommendation by The School Board or an official of the school district.

(d) “**Relative**” in this policy shall be defined as an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grand parent, step grandchild, ~~grand child, great grandchild, step grandparent, step great grandparent, step grandchild,~~ step great grandchild, person who is engaged to be married to the School Board Member or who otherwise holds himself or herself out as or is generally known as the person whom the School Board Member intends to marry or with whom the School Board Member intends to form a household, or any other natural person having the same legal residence as the School Board Member.

Part 2. Acceptance of Gifts and Misuse of Office.

2.0 **Definition and Valuation of Gifts.** Gifts shall be defined using the definition set forth in Part 1 which is the definition of that term under Part III of Chapter 112, Florida Statutes – Code of Ethics for Public Officers and Employees. The valuation of gifts under this policy shall be determined in the same manner as the valuation of a gift under Part III of Chapter 112, Florida Statutes – Code of Ethics for Public Officers and Employees.

2.1 **Solicitation or Acceptance of Gifts.** No School Board Member shall solicit or accept anything of value to the School Board Member, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the School Board Member would be influenced thereby.

2.2 **No Limitation upon Solicitation of Gifts from a Lobbyist:** School Board Members and their relatives, as defined above, may shall not directly or indirectly solicit any gift from any person, vendor, potential vendor, other entity doing business with the school district or

a lobbyist, or from any principal or employee of such lobbyist, ~~or from any vendor or contractor that provides goods or services to The School Board, where such gift is for the School Board Member's benefit or that of any other person on his or her behalf.~~

2.3 **Limitations Upon Acceptance of Gifts from a Lobbyist:** ~~Except~~ as ~~prohibited under Section 2.2,~~ School Board Members and their relatives, as defined above, or any other person on his or her behalf, may not directly or indirectly accept any gift in excess of \$50 shall not accept any gifts, directly or indirectly, in excess of \$100 from any person, vendor, potential vendor, other entity doing business with the school district, or from lobbyists, or any principal or employer of such lobbyist, ~~or from any vendor or contractor that provides goods or services to The School Board.~~

2.4 **Acceptance of Other Gifts:** Except for gifts that are otherwise precluded by ~~Section Sections~~ 2.2 and 2.3 of this policy and applicable law, School Board Members may accept gifts given to them as permitted by the provisions of Part III of Chapter 112, Florida Statutes. This policy does not preclude School Board Members from knowingly:

(a) receiving gifts from relatives as defined in this policy and as permitted by Section 112.3148(8)(a)(1), Florida Statutes;

(b) accepting a gift valued in excess of One Hundred Fifty Dollars (~~\$100.00~~ 50.00) from a lobbyist, any principal or employer of a lobbyist, or from any vendor or contractor, potential vendor, or other entity doing business with the school district, provided that the School Board Member compensates the donor within ninety (90) days of receipt of the gift for the amount of the gift in excess of One Hundred Fifty Dollars (~~\$100.00~~) (50.00) as permitted by Section 112.3148(8)(a), Florida Statutes;

(c) temporarily accepting a gift, from any person, including a lobbyist, any principal or employer of a lobbyist, or from any vendor or contractor that provides goods or services to The School Board, having a value in excess of One Hundred Fifty Dollars (~~\$100.00~~ 50.00), in the School Board Member's official capacity, on behalf of a governmental entity or charitable organization provided the gift is promptly transferred by the School Board Member to that intended recipient as permitted by Section 112.3148(5)(a), Florida Statutes;

(d) accepting any gift permitted under Part III of Chapter 112, Florida Statutes, (Code of Ethics for Public Officers and Employees) from The School Board's direct support organizations existing as permitted by Section 1001.453, Florida Statutes, as permitted by Section 112.3148(6)(d), Florida Statutes;

(e) accepting any salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the School Board Member's employment, business or service as an officer or director of a corporation or organization as permitted by Section 112.312(12)(b)1, Florida Statutes;

(f) accepting any contributions or expenditures reported pursuant to Chapter 106, Florida Statutes, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party as permitted by Section 112.312(12)(b)2, Florida Statutes;

(g) accepting an honorarium or an expense related to an honorarium event paid to a School Board Member or to the School Board Member's spouse as to the extent that they are permitted by Section 112.312(12)(b)3, Florida Statutes;

(h) accepting an award, plaque, certificate or similar personalized item given in recognition of the School Board Member's public, civic, charitable or professional service as permitted by Section 112.312(12)(b)4, Florida Statutes;

(i) accepting an honorary membership in a service or fraternal organization presented merely as a courtesy by such organization as permitted by Section 112.312(12)(b)5, Florida Statutes;

(j) accepting any use of a public facility or public property, made available by a governmental agency, for a public purpose as permitted by Section 112.312(12)(b)6, Florida Statutes;

(k) accepting any transportation, lodging or parking provided to a School Board Member by an agency the school district in relation to officially approved governmental business as permitted by Section 112.312(12)(b)7, Florida Statutes;

(l) accepting any gifts provided directly or indirectly by a state, regional or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to a School Board Member as permitted by Section 112.312(12)(b)8, Florida Statutes.

2.5 **Copies of Gift Disclosure Reports.** School Board Members shall provide the Supervisor – Official School Board Records with copies of any Quarterly Gift Disclosure Report (COE-Form 9) or of any Annual Disclosure of Gifts from Governmental Entities and Direct

Support Organizations and Honorarium Event Related Expenses (COE-Form 10) within thirty (30) days of their filing with the Florida Commission on Ethics.

2.6 **Misuse of Office.** No School Board Member shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

2.7 **Disclosure or Use of Certain Information.** A School Board Member may not disclose or use information not available to members of the general public and gained by reason of his or her official position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

Part 3. Outside Employment and Contractual Services.

3.0 **Employment as Lobbyist.** School Board Members shall not be employed for compensation as a lobbyist or engage in lobbying activities before the Broward County Commission, any Broward County municipality or any other local taxing authority located within Broward County, inclusive of taxing authorities, quasi-judicial boards, appointed boards, and commissions, except when appearing on behalf of The School Board at its direction. This form of employment is deemed to be in substantial conflict with the proper discharge of a School Board Member's duties and the public interest. Nothing herein precludes any School Board Member from appearing in an individual capacity, without compensation, before any governmental agency or official to advocate for or against any pending issue or matter.

3.1 **Employment (Other):** Except as limited by Section 3.0, School Board Members may engage in other lawful outside employment consistent with their public duties and where not

inconsistent with Part III of Chapter 112, Florida Statutes. School Board Members shall quarterly disclose (1) any outside or concurrent employment for which they were compensated in excess of \$100, or (2) any contractual services for which they received fees in excess of \$100, by filing a form substantially similar to the attached SBBC Ethics Form A – Quarterly Report of Outside Employment and Contractual Services. The form shall be filed with the Supervisor – Official School Board Records no later than the last business day of the calendar quarter that follows the calendar quarter for which it is filed. This section shall not apply to any employment of a School Board Member by a relative or to any funds received from the state or federal government.

Part 4 **School Board Member Contacts with Lobbyists.**

4.1 **Reporting of Lobbying Activity:** School Board Members shall report any and all lobbying activity that knowingly occurs between that School Board Member, and individual lobbyists, or the principal or employer of a lobbyist ~~concerning any issue that is currently before The School Board or that may in the future come before The School Board.~~ For the purposes of this section, “lobbying activity” means any communication by a lobbyist (as defined in Rule 1.2(a) of this policy) with a School Board Member for the purpose of influencing any action, non-action, or decision-making; attempting to obtain the good will of a School Board Member where there would be economic gain to the principal or employer of the lobbyist; or attempt to encourage a School Board Member to pass, defeat or modify any proposal or recommendation. Reporting is mandated for all forms of activity to lobby an individual School Board Member, inclusive of written correspondence or any form of electronic or telephonic communication. This section shall not require a School Board Member to report any bulk or transitory communications they have received.

4.2 **Form and Method of Reporting:** Except as otherwise required herein, all lobbying reports required under this policy shall be made no later than ten (10) days from the lobbying activity by the lobbyist or their principal or employer. For the purposes of this policy, days are calculated using days during which The School Board's administration is open and conducting business. However, reports shall be made no later than prior to the commencement of a School Board meeting wherein the matter lobbied on is debated and/or voted upon. Even if the matter is on the consent agenda, disclosure of the lobbying activity is still required prior to voting. All reports shall be in writing and filed with the Supervisor – Official School Board Records on a form substantially similar to the attached SBBC Ethics Form B – School Board Member's Lobbying Contact Report. At a minimum, said form must list the lobbyist's name, the principal or employer of said lobbyist, the subject matter of lobbying activity, and the date and location of the lobbying activity. These lobbying activity report forms are public records and are subject to public inspection both in hard copy and also in a searchable manner via the school district's website.

Part 5 Solicitation and Receipt of Contributions.

5.0 **District Fundraising Policy:** The provisions set forth in this policy regarding charitable and campaign fundraising are in addition to any other disclosures and requirements required by applicable state or federal statute. “Fundraising” under this part of School Board Policy 1007 refers to a School Board Member’s verbal or written encouragement of others to donate money or goods or services to (1) a non-profit charitable organization (as defined under the Internal Revenue Code) or (2) to the School Board Member’s campaign for political office or to the campaigns of other candidates for political office. Passive activity or unintentional acts of

a School Board Member or personal contributions made by a School Board Member to any charity or political campaign shall not constitute fundraising for the purposes of this policy.

5.1 **Charitable Fundraising:** A School Board Member may solicit funds for a non-profit charitable organization (as defined under the Internal Revenue Code) as long as there is no *quid pro quo* or other special consideration or direct or indirect personal benefit between the School Board Member and the non-profit charitable organization. School Board Members may not use school district employees during work hours or other school district resources in connection with charitable fundraising. This restriction does not preclude a School Board Member from soliciting funds for school district-sponsored programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes. This restriction shall not preclude the use of school district employees or other school district resources in connection with school district-sponsored programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes.

5.2 **Quarterly Charitable Fundraising Report:** Except as provided herein, School Board Members shall quarterly report any and all solicitations they make seeking funds for charitable purposes. This provision does not apply to school district-sponsored programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes. This provision does not apply to campaign fundraising which is addressed separately under this policy.

5.3 **Form and Method of Quarterly Charitable Fundraising Report:** All required quarterly report of charitable fundraising shall be made no later than the last business day of the calendar quarter that follows the calendar quarter for which disclosure is made of a School Board Member's charitable fundraising activities. All reports must be in writing and on a form

substantially similar to the attached SBBC Ethics Form C – School Board Member’s Quarterly Charitable Fundraising Report. At a minimum, said form must list the name of the charitable non-profit organization, the subject matter of the charitable fundraising activity, and the date(s) of the charitable fundraising activity. These charitable fundraising disclosure forms are public records and shall be available for public inspection in hard copy and also in a searchable manner via the school district’s website.

5.4 **Campaign Contribution Fundraising:** School Board Members shall not knowingly accept campaign contributions for their own campaigns ~~or the campaigns of other candidates for political office~~ from a person or an entity, its principals, or their lobbyists during the period in which said person or entity is attempting to sell goods or services to The School Board. This period of limitation upon the acceptance of campaign contributions shall be the “cone of silence” period for any solicitation for a competitive procurement as described in School Board Policy 3320, Part II, Section HH. If a School Board Member learns after receipt of a campaign contribution that it was improperly made during the cone of silence, the School Board Member shall return the campaign contribution to the donor and notify the Superintendent or his designee of the returned campaign contribution. School Board Members may not use school district employees during work hours or other school district resources in connection with efforts to raise campaign contributions. Further, no solicitation for a campaign contribution for any political candidate may be made on school district property or using school district resources. However, nothing herein shall preclude the rental of a school facility after school hours for use for a campaign activity or fundraiser pursuant to School Board Policies 1341 and 1400.1.

Part 6 **Procurement Selection Committees.**

6.0 **Procurement Selection Committees:** A School Board Member shall not serve as a member of a school district procurement selection or evaluation committee, shall not influence the selection of persons serving on such committees, shall not participate or interfere in any manner with the functions or activities of such committees, and shall not interfere with the performance by school district staff of their duties pertaining to the selection process. This provision is not to be considered a limitation on the ability of a School Board Member to make full inquiry through the Superintendent of Schools or his/her designee about the selection process before, during or after the conclusion of such process or to take any other action expressly permitted by any School Board Policy.

Part 7 **Training and Education.**

7.0 **Training for New School Board Members.** New School Board Members shall receive a minimum of four (4) hours of training within the first four (4) months of office on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, ~~and~~ ethical standards contained in [this Policy, as well as](#) Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), [Board governance, Administrative Procedures Act \(Chapter 120, Florida Statutes\), and Robert's Rules of Order.](#) This training may be received from programs presented through the school district or made available through sources including, without limitation, The School Board's Office of the General Counsel, colleges and universities, municipal or local government organizations, state agencies, and non-profit organizations. The new School Board Member shall file an acknowledgment of such training upon its completion with the Supervisor – Official School Board Records within five (5) months of taking office on a form substantially similar to the attached SBBC Ethics Form D – New

School Board Member's Orientation Training Report. Training received by a new School Board Member to satisfy the requirements of this section shall also satisfy that School Board Member's annual training responsibility under Section 7.1.

7.1 **Continuing Training for School Board Members.** Each School Board Member shall annually attend or participate in a minimum of four (4) hours of continuing education training on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), and under this policy. This training may be received from programs presented through the school district or made available through sources including, without limitation, The School Board's Office of the General Counsel, colleges and universities, municipal or local government organizations, state agencies, and non-profit organizations. Each School Board Member shall file an acknowledgment of such training upon its completion with the Supervisor – Official School Board Records by December 31st of each year on a form substantially similar to the attached SBBC Ethics Form E – School Board Member's Annual Training Report.

Part 8 **Roles of School Board and Superintendent.**

8.1 **Role of School Board.** In accordance with the provisions of Section 4(b) of Article IX of the State Constitution, The School Board shall operate, control and supervise all free public schools in its district and may exercise any power except as expressly prohibited by the State Constitution or general law. After considering recommendations submitted by the Superintendent of Schools, The District School Board shall exercise the following general powers:

8.1.1 Determine policies and programs consistent with state law and rule deemed necessary by it for the efficient operation and general improvement of the Broward County district school system;

8.1.2 Adopt rules pursuant to Sections 120.536(1) and 120.54, Florida Statutes, to implement the provisions of law conferring duties upon The School Board to supplement those prescribed by the State Board of Education and the Commissioner of Education;

8.1.3 Prescribe and adopt standards and policies to provide each district school student the opportunity to receive a complete education program, including language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as defined by the Sunshine State Standards. The standards and policies must emphasize integration and reinforcement of reading, writing and mathematics skills across all subjects, including career awareness, career exploration, and career and technical education;

8.1.4 Contract, sue and be sued. The School Board shall constitute the contracting agent for the Broward County district school system;

8.1.6 Assign students to district schools; and

8.1.7 Enter into agreements for accepting credit card, charge card, and debit card payments as compensation for goods, services, tuition and fees, as authorized by law; and

8.1.5 Perform duties and exercise those responsibilities that are assigned to it by law or by the rules of the State Board of Education or the Commissioner of education and, in addition thereto, those that it may find to be necessary for the improvement of the Broward County district school system in carrying out the purposes and objectives of the education code.

8.2 **Role of Superintendent.** Responsibility for the administration and management of the schools and for the supervision of instruction in the district shall be vested in

the Superintendent of Schools as provided by law. The Superintendent of Schools shall have the authority, and when necessary for the more efficient and adequate operation of the Broward County district school system, the Superintendent of Schools shall exercise the following powers:

8.2.1 Exercise general oversight over the Broward County district school system in order to determine problems and needs, and recommend improvements; and

8.2.2 Advise and counsel with The School Board on all educational matters and recommend to The School Board for action such matters as should be acted upon; and

8.2.3 Recommend to The School Board for adoption such policies pertaining to the Broward County district school system as the Superintendent of Schools may consider necessary for its more efficient operation; and

8.2.4 Prepare and organize by subjects and submit to The School Board for adoption such rules to supplement those adopted by the State Board of Education as, in the Superintendent of Schools' opinion, will contribute to the efficient operation of any aspect of education in the district. When rules have been adopted, the district school superintendent shall see that they are executed; and

8.2.5 From time to time prepare, organize by subject, and submit to The School Board for adoption such minimum standards relating to the operation of any phase of the Broward County district school system as are needed to supplement those adopted by the State Board of Education and as will contribute to the efficient operation of any aspect of education in the district and ensure that minimum standards adopted by The School Board and the State Board of Education are observed; and

8.2.6 Perform such duties and exercise such responsibilities as are assigned to the Superintendent of Schools by law and by rules of the State Board of Education.

SBBC ETHICS FORM A

**SCHOOL BOARD MEMBER'S QUARTERLY REPORT OF
OUTSIDE EMPLOYMENT AND CONTRACTUAL SERVICES**

SCHOOL BOARD MEMBER NAME: _____

FOR QUARTER ENDING (CHECK ONE):

___ MARCH ___ JUNE ___ SEPTEMBER ___ DECEMBER YEAR 20___

Pursuant to School Board Policy 1007, please list below each outside employment you held or any outside contractual services you performed during the calendar quarter for which this report is being filed. You are required to report the name and address of your employer or party for whom you performed contractual services and the amount of any remuneration you received from that employment or performing those services during the quarter. These quarterly reports of outside employment and contractual services forms are public records and shall be available for public inspection. **You are not required to file this form for any calendar quarter during which you did not have any outside employment or perform any outside contractual services.**

<u>Employer or Contractor Name</u>	<u>Employer or Contractor Address</u>	<u>Amount of Remuneration During Quarter</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

___ CHECK HERE IF CONTINUED ON SEPARATE SHEET

Date: _____, 20 _____
Signature of School Board Member

FILING INSTRUCTIONS:
This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which it is filed (For example, if employed or performing contractual services in March, it should be disclosed by June 30).

SBBC ETHICS FORM B
SCHOOL BOARD MEMBER'S LOBBYING CONTACT REPORT

SCHOOL BOARD MEMBER NAME: _____

Instructions: Pursuant to School Board Policy 1007, please provide the information requested below for any occasion of lobbying activity that has occurred between the School Board Member and an individual lobbyist, or the principal or employer of a lobbyist, concerning any issue that is currently before The School Board or that may in the future come before The School Board. Reporting is mandated for all forms of activity to lobby a School Board Member, inclusive of personal communication, written correspondence or any form of electronic or telephonic communication. These lobbying contact report forms are public records and are subject to public inspection both in hard copy and also in a searchable manner via the school district's website.

Name of Person Making Lobbying Contact: _____

Principal/Employer of Person Making Lobbying Contact: _____

Date of Lobbying Contact: _____

Location of Lobbying Contact: _____

Subject Matter of Lobbying Activity: _____

Date: _____, 20 _____

Signature of School Board Member

FILING INSTRUCTIONS:

All lobbying reports required under School Board Policy 1007 shall be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. Reports shall be filed within ten (10) days of the contact with the lobbyist or their principal or employer or prior to the debate and voting at a School Board meeting wherein the matter lobbied on is debated and/or voted upon, whichever first occurs. For the purposes of School Board Policy 1007, days are calculated using days during which The School Board's administration is open and conducting business.

SBBC ETHICS FORM C
SCHOOL BOARD MEMBER'S
QUARTERLY CHARITABLE FUNDRAISING REPORT

SCHOOL BOARD MEMBER NAME: _____

FOR QUARTER ENDING (CHECK ONE):

___ MARCH ___ JUNE ___ SEPTEMBER ___ DECEMBER YEAR 20___

In accordance with School Board Policy 1007, please list below each charitable fundraising activity you performed during the calendar quarter for which this report is being filed. You are required to report the name and address of the charitable organization on whose behalf you made solicitations, the subject matter of the fundraising activity, and the date(s) during which you participated in fundraising activities. These charitable fundraising report forms are public records and shall be available for public inspection in hard copy and also in a searchable manner via the school district's website. **You are not required to include in this form any fundraising efforts pertaining to campaign fundraising or to school district-sponsored charitable programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes.**

<u>Name of Charitable Organization</u>	<u>Subject Matter of Fundraising Activity</u>	<u>Date(s) of Fundraising Activities</u>

___ CHECK HERE IF CONTINUED ON SEPARATE SHEET

Date: _____, 20____ _____
Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which it is filed (For example, if charitable fundraising activities are conducted in March, it should be disclosed by June 30).

SBBC ETHICS FORM D
NEW SCHOOL BOARD MEMBER'S ORIENTATION TRAINING REPORT

SCHOOL BOARD MEMBER NAME: _____

Please list below the date(s) and hours of each training segment received as a new School Board Member on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees) and under School Board Policy 1007. New School Board Members shall receive a minimum of four (4) hours of such training within the first four (4) months of office. Such training shall be provided through the Superintendent of Schools or his/her designee. New School Board Members are strongly encouraged to participate in any additional training for new School Board Members that may be provided by the Florida School Boards Association. These New School Board Member Orientation Training Report forms are public records and shall be available for public inspection.

<u>Date</u>	<u>Name of Provider of Training Program</u>	<u>Hours of Training</u>

TOTAL HOURS: _____

___ CHECK HERE IF CONTINUED ON SEPARATE SHEET

I, the person whose name appears at the beginning of this form, state that the information disclosed herein and on any attachments made by me constitutes a true, accurate and total listing of all New School Board Training I received on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), School Board Policy 1007 and required to be reported under School Board Policy No. 1007.

Date: _____, 20 _____

Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed within five (5) months of taking office as a School Board Member.

SBBC ETHICS FORM E
SCHOOL BOARD MEMBER'S ANNUAL TRAINING REPORT

SCHOOL BOARD MEMBER NAME: _____

Please list below the date(s) and hours of each training segment received as a School Board Member on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees) and under School Board Policy 1007. School Board Members shall annually receive a minimum of four (4) hours of such training. This training may be received from programs presented through the school district or made available through sources including, without limitation, colleges and universities, municipal or local government organizations, state agencies, and non-profit organizations. These School Board Member Annual Training Report forms are public records and shall be available for public inspection.

<u>Date</u>	<u>Name of Provider of Training Program</u>	<u>Hours of Training</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL HOURS: _____

I, the person whose name appears at the beginning of this form, state that the information disclosed herein and on any attachments made by me constitutes a true, accurate and total listing of all annual School training I received on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), School Board Policy 1007 and required to be reported under School Board Policy No. 1007.

Date: _____, 20 _____

Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed by School Board Members by December 31st of each year.

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**Policy 1007
ETHICS CODE FOR
SCHOOL BOARD MEMBERS**

**SCHOOL BOARD WORKSHOP
JULY 31, 2012**

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
K.C. WRIGHT ADMINISTRATION BUILDING**

POLICY 1007
ETHICS CODE FOR SCHOOL BOARD MEMBERS

The attached proposed revisions to Policy 1007 seek to clarify the policy in light of the comments from Chris Anderson, General Counsel to the Florida Commission on Ethics, from the October 11, 2011 Workshop, as well as questions that have arisen during its implementation this past year.

SUMMARY OF RECOMMENDED CHANGES

DATE: July 31, 2012

POLICY #: 1007

POLICY TITLE: **ETHICS CODE FOR SCHOOL BOARD MEMBERS**

Page #	Recommended Change/Addition/Deletion	Rationale
1.	<p>1.1 <u>Standards of Conduct.</u> The following standards of conduct for School Board Members are hereby adopted and are in addition to any other ethical standards mandated by federal, state or local law, as applicable, including, without limitation, the following:</p> <p>(a) The Code of Ethics for Public Officers and Employees - Chapter 112, Part III, Florida Statutes, as interpreted by the Florida Commission on Ethics;</p> <p>(b) Chapter 838, Florida Statutes, concerning Bribery; Misuse of Public Office;</p> <p>(c) Chapter 839, Florida Statutes, concerning Offenses by Public Officers and Employees;</p> <p>(d) Title 18 – 63 U.S.C. Section 1341, <i>et seq.</i> concerning Mail Fraud and Other Fraud Offenses;</p> <p>(e) The Ethics in Education Act, Chapter 2008-108, Laws of Florida; and</p> <p>(f) The Florida Code of Ethics for the Education Profession, Sections 6B-1.001 and 6B-1.006, Florida Administrative Code; and</p> <p>(g) <u>Section 1001.421, Florida Statutes, prohibiting district school board members and their relatives from soliciting or accepting certain gifts.</u></p>	Revision to incorporate new law.

Page #	Recommended Change/Addition/Deletion	Rationale
2.	<p>1.2 <u>Definitions.</u> Unless otherwise defined herein, the operative words or terms within this policy shall be as defined in Chapter 112, Florida Statutes, and as such, words or terms are interpreted by the Florida Commission on Ethics.</p> <p>The following general definitions shall be used for the purposes of this policy:</p> <p>(a) “Lobbyist” means any natural person who was registered with the school district as a lobbyist during the preceding twelve (12) months or <u>who</u>, for compensation, seeks, or sought during the preceding twelve (12) months, to influence the governmental decision-making of The School Board or an official of the school district, or sought during the preceding twelve (12) months, to encourage the passage, defeat, or modification of any proposal or recommendation by The School Board or an official of the school district.</p> <p>(b) “Gift” in this policy shall be defined as that which is accepted by a School Board Member or by another on the School Board Member’s behalf, or that which is paid or given to another for or on behalf of a School Board Member, directly, indirectly, or in trust for the School Board Member’s benefit or by any other means, for which equal or greater consideration is not given within ninety (90) days, including <u>but not limited to:</u></p>	<p>Grammatical revision.</p> <p>Grammatical revision.</p>

Page #	Recommended Change/Addition/Deletion	Rationale
3.	(d) “ Relative ” in this policy shall be defined as an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grand parent, step grandchild, grand child, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the School Board Member or who otherwise holds himself or herself out as or is generally known as the person whom the School Board Member intends to marry or with whom the School Board Member intends to form a household, or any other natural person having the same legal residence as the School Board Member.	Removes redundant language.
3-4	2.2 <u>No Limitation upon Solicitation of Gifts from a Lobbyist:</u> School Board Members and their relatives, as defined above, may shall not directly or indirectly solicit any gift from any person, vendor, potential vendor, other entity doing business with the school district or a lobbyist, or from any principal or employee of such lobbyist, or from any vendor or contractor that provides goods or services to The School Board, where such gift is for the School Board Member’s benefit or that of any other person on his or her behalf.	Clarification and to incorporate gift solicitation restrictions created by Section 1001.421, Fla. Stat. during 2011 Legislative Session and to more closely follow text of Section 112.3148, Fla. Stat.

Page #	Recommended Change/Addition/Deletion	Rationale
4.	<p>2.3 <u>Limitations Upon Acceptance of Gifts from a Lobbyist:</u></p> <p>Except as prohibited under Section 2.2, School Board Members <u>and their relatives, as defined above,</u> or any other person on his or her behalf, <u>may not directly or indirectly accept any gift in excess of \$50</u> shall not accept any gifts, directly or indirectly, in excess of \$100 from <u>any person, vendor, potential vendor, other entity doing business with the school district, or from</u> lobbyists, or any principal or employer of such lobbyist, or from any vendor or contractor that provides goods or services to The School Board.</p>	To incorporate gift acceptance restrictions created by Section 1001.421, Fla. Stat. during 2011 Legislative Session and to more closely follow text of Section 112.3148 Fla. Stat.
4.	<p>2.4 <u>Acceptance of Other Gifts:</u> Except for gifts <u>that are otherwise</u> precluded by Section <u>Sections</u> 2.2 <u>and 2.3</u> of this policy and applicable law, School Board Members may accept gifts given to them as permitted by the provisions of Part III of Chapter 112, Florida Statutes. This policy does not preclude School Board Members from <u>knowingly:</u></p>	Clarification.
4.	<p>(b) accepting a gift valued in excess of One Hundred Fifty Dollars (\$100.00 <u>50.00</u>) from a lobbyist, any principal or employer of a lobbyist, or from any vendor or contractor, <u>potential vendor, or other entity doing business with the school district,</u> provided that the School Board Member compensates the donor within ninety (90) days of receipt of the gift for the amount of the gift in excess of One Hundred Fifty Dollars (\$100.00 <u>\$50.00</u>) as permitted by Section 112.3148(8)(a), Florida Statutes;</p>	To harmonize School Board Policy 1007 with gift acceptance restrictions created by Section 1001.421, Fla. Stat., during the 2011 Legislative Session.

Page #	Recommended Change/Addition/Deletion	Rationale
4.	(c) temporarily accepting a gift, from any person, including a lobbyist, any principal or employer of a lobbyist, or from any vendor or contractor that provides goods or services to The School Board, having a value in excess of One Hundred Fifty Dollars (\$100.00 <u>50.00</u>), in the School Board Member's official capacity, on behalf of a governmental entity or charitable organization provided the gift is promptly transferred by the School Board Member to that intended recipient as permitted by Section 112.3148(5)(a), Florida Statutes;	To harmonize School Board Policy 1007 with gift acceptance restrictions created by Section 1001.421, Fla. Stat., during the 2011 Legislative Session.
5.	(g) accepting an honorarium or an expense related to an honorarium event paid to a School Board Member or to the School Board Member's spouse as to the extent that they are permitted by Section 112.312(12)(b)3, Florida Statutes;	To confirm that we are not expanding gifts beyond those permitted under Chapter 112.
5.	(k) accepting any transportation, lodging or parking provided to a School Board Member by an agency <u>the school district</u> in relation to officially approved governmental business as permitted by Section 112.312(12)(b)7, Florida Statutes;	To ensure that the policy is limited to transportation, lodging or parking and does not address such services from other agencies that may require gift disclosure via CEO Form 10.

Page #	Recommended Change/Addition/Deletion	Rationale
7.	<p><u>Part 4 School Board Member Contacts with Lobbyists.</u></p> <p>4.1 <u>Reporting of Lobbying Activity:</u> School Board Members shall report any and all lobbying activity that knowingly occurs between that School Board Member, and individual lobbyists, or the principal or employer of a lobbyist concerning any issue that is currently before The School Board or that may in the future come before The School Board. <u>For the purposes of this section, “lobbying activity” means any communication with a School Board Member for the purpose of influencing any action, non-action, or decision-making; attempting to obtain the good will of a School Board Member; or attempt to encourage a School Board Member to pass, defeat or modify any proposal or recommendation.</u> Reporting is mandated for all forms of activity to lobby an individual School Board Member, inclusive of written correspondence or any form of electronic or telephonic communication. This section shall not require a School Board Member to report any bulk or transitory communications they have received.</p>	<p>To provide a definition for “lobbying activity” for the purposes of School Board Policy 1007.</p>

Page #	Recommended Change/Addition/Deletion	Rationale
8.	<p><u>Part 5 Solicitation and Receipt of Contributions.</u></p> <p>5.0 <u>District Fundraising Policy:</u> The provisions set forth in this policy regarding charitable and campaign fundraising are in addition to any other disclosures and requirements required by applicable state or federal statute. <u>“Fundraising” under this part of School Board Policy 1007 refers to a School Board Member’s verbal or written encouragement of others to donate money or goods or services to (1) a non-profit charitable organization (as defined under the Internal Revenue Code) or (2) to the School Board Member’s campaign for political office or to the campaigns of other candidates for political office. Passive activity or unintentional acts of a School Board Member or personal contributions made by a School Board Member to any charity or political campaign shall not constitute fundraising for the purposes of this policy.</u></p>	<p>To provide a definition for “fundraising” for the purposes of School Board Policy 1007.</p>

Page #	Recommended Change/Addition/Deletion	Rationale
10.	<p>5.4 <u>Campaign Contribution Fundraising:</u> School Board Members shall not <u>knowingly</u> accept campaign contributions for their own campaigns or the campaigns of other candidates for political office from a person or an entity, its principals, or their lobbyists during the period in which said person or entity is attempting to sell goods or services to The School Board. This period of limitation upon the acceptance of campaign contributions shall be the “cone of silence” period for any solicitation for a competitive procurement as described in School Board Policy 3320, Part II, Section HH. <u>If a School Board Member learns after receipt of a campaign contribution that it was improperly made during the cone of silence, the School Board Member shall return the campaign contribution to the donor and notify the Superintendent or his designee of the returned campaign contribution.</u> School Board Members may not use school district employees during work hours or other school district resources in connection with efforts to raise campaign contributions. Further, no solicitation for a campaign contribution for any political candidate may be made on school district property or using school district resources. However, nothing herein shall preclude the rental of a school facility after school hours for use for a campaign activity or fundraiser pursuant to School Board Policies 1341 and 1400.1.</p>	<p>Clarification.</p> <p>To provide guidance for Board Member action under specified circumstances.</p>

ETHICS CODE FOR SCHOOL BOARD MEMBERS

Part 1. General Provisions.

1.0 **Statement of Policy.** The purpose of this policy is to create a culture that fosters public trust and confidence in government in general and The School Board of Broward County, Florida (“The School Board”) and avoids conflicts of interest and appearances of impropriety. It is the personal responsibility of each School Board Member to perform his or her official duties in a completely transparent and honest manner. It is the policy of The School Board that each School Board Member represents and works for the benefit of the people of Broward County. To that end, the following Ethics Code is enacted to regulate the conduct of School Board Members.

1.1 **Standards of Conduct.** The following standards of conduct for School Board Members are hereby adopted and are in addition to any other ethical standards mandated by federal, state or local law, as applicable, including, without limitation, the following:

- (a) The Code of Ethics for Public Officers and Employees - Chapter 112, Part III, Florida Statutes, as interpreted by the Florida Commission on Ethics;
- (b) Chapter 838, Florida Statutes, concerning Bribery; Misuse of Public Office;
- (c) Chapter 839, Florida Statutes, concerning Offenses by Public Officers and Employees;
- (d) Title 18 – 63 U.S.C. Section 1341, *et seq.* concerning Mail Fraud and Other Fraud Offenses;
- (e) The Ethics in Education Act, Chapter 2008-108, Laws of Florida; ~~and~~
- (f) The Florida Code of Ethics for the Education Profession, Sections 6B-1.001 and 6B-1.006, Florida Administrative Code; ~~and~~
- (g) Section 1001.421, Florida Statutes, prohibiting district school board members and their relatives from soliciting or accepting certain gifts.

In the event of a conflict between the standards of conduct prescribed by this policy and any other standard for conduct including, without limitation, those listed above, the more stringent standard of conduct shall be applicable to School Board Members.

1.2 **Definitions.** Unless otherwise defined herein, the operative words or terms within this policy shall be as defined in Chapter 112, Florida Statutes, and as such, words or terms are interpreted by the Florida Commission on Ethics.

The following general definitions shall be used for the purposes of this policy:

(a) **“Lobbyist”** means any natural person who was registered with the school district as a lobbyist during the preceding twelve (12) months or **who**, for compensation, seeks, or sought during the preceding twelve (12) months, to influence the governmental decision-making of The School Board or an official of the school district, or sought during the preceding twelve (12) months, to encourage the passage, defeat, or modification of any proposal or recommendation by The School Board or an official of the school district.

(b) **“Gift”** in this policy shall be defined as that which is accepted by a School Board Member or by another on the School Board Member’s behalf, or that which is paid or given to another for or on behalf of a School Board Member, directly, indirectly, or in trust for the School Board Member’s benefit or by any other means, for which equal or greater consideration is not given within ninety (90) days, including, **but not limited to:**

1. Real property,
2. The use of real property,
3. Tangible or intangible personal property,
4. The use of tangible or intangible personal property,
5. A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex or national origin;
6. Forgiveness of an indebtedness,
7. Transportation, lodging or parking other than that provided to a School Board Member by an agency in relation to officially approved governmental business,
8. Food or beverage,
9. Membership dues,
10. Entrance fees, admission fees, or tickets to events, performances, or facilities,
11. Plants, flowers or floral arrangements,
12. Services provided by persons pursuant to a professional license or certificate,
13. Other personal services for which a fee is normally charged by the person providing the services, or
14. any other similar service or thing having an attributable value not already provided for in Section 112.312(12)(a), Florida Statutes.

(c) “**Principal**” in this policy refers, in the context of lobbyist activities, to person or entity that employed a lobbyist or personnel during the preceding twelve (12) months to influence the governmental decision-making of The School Board or an official of the school district, or sought during the preceding twelve (12) months, to encourage the passage, defeat, or modification of any proposal or recommendation by The School Board or an official of the school district.

(d) “**Relative**” in this policy shall be defined as an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grand parent, step grandchild, ~~grand child, great grandchild, step grandparent, step great grandparent, step grandchild,~~ step great grandchild, person who is engaged to be married to the School Board Member or who otherwise holds himself or herself out as or is generally known as the person whom the School Board Member intends to marry or with whom the School Board Member intends to form a household, or any other natural person having the same legal residence as the School Board Member.

Part 2. Acceptance of Gifts and Misuse of Office.

2.0 **Definition and Valuation of Gifts.** Gifts shall be defined using the definition set forth in Part 1 which is the definition of that term under Part III of Chapter 112, Florida Statutes – Code of Ethics for Public Officers and Employees. The valuation of gifts under this policy shall be determined in the same manner as the valuation of a gift under Part III of Chapter 112, Florida Statutes – Code of Ethics for Public Officers and Employees.

2.1 **Solicitation or Acceptance of Gifts.** No School Board Member shall solicit or accept anything of value to the School Board Member, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the School Board Member would be influenced thereby.

2.2 **No Limitation upon Solicitation of Gifts from a Lobbyist:** School Board Members and their relatives, as defined above, may shall not directly or indirectly solicit any gift from any person, vendor, potential vendor, other entity doing business with the school district or

a lobbyist, or from any principal or employee of such lobbyist, ~~or from any vendor or contractor that provides goods or services to The School Board, where such gift is for the School Board Member's benefit or that of any other person on his or her behalf.~~

2.3 **Limitations Upon Acceptance of Gifts from a Lobbyist:** ~~Except~~ as ~~prohibited under Section 2.2,~~ School Board Members and their relatives, as defined above, or any other person on his or her behalf, may not directly or indirectly accept any gift in excess of \$50 shall not accept any gifts, directly or indirectly, in excess of \$100 from any person, vendor, potential vendor, other entity doing business with the school district, or from lobbyists, or any principal or employer of such lobbyist, ~~or from any vendor or contractor that provides goods or services to The School Board.~~

2.4 **Acceptance of Other Gifts:** Except for gifts that are otherwise precluded by ~~Section Sections~~ Sections 2.2 and 2.3 of this policy and applicable law, School Board Members may accept gifts given to them as permitted by the provisions of Part III of Chapter 112, Florida Statutes. This policy does not preclude School Board Members from knowingly:

(a) receiving gifts from relatives as defined in this policy and as permitted by Section 112.3148(8)(a)(1), Florida Statutes;

(b) accepting a gift valued in excess of One Hundred Fifty Dollars (~~\$100.00~~ 50.00) from a lobbyist, any principal or employer of a lobbyist, or from any vendor or contractor, potential vendor, or other entity doing business with the school district, provided that the School Board Member compensates the donor within ninety (90) days of receipt of the gift for the amount of the gift in excess of One Hundred Fifty Dollars (~~\$100.00~~) (\$50.00) as permitted by Section 112.3148(8)(a), Florida Statutes;

(c) temporarily accepting a gift, from any person, including a lobbyist, any principal or employer of a lobbyist, or from any vendor or contractor that provides goods or services to The School Board, having a value in excess of One Hundred Fifty Dollars (~~\$100.00~~ 50.00), in the School Board Member's official capacity, on behalf of a governmental entity or charitable organization provided the gift is promptly transferred by the School Board Member to that intended recipient as permitted by Section 112.3148(5)(a), Florida Statutes;

(d) accepting any gift permitted under Part III of Chapter 112, Florida Statutes, (Code of Ethics for Public Officers and Employees) from The School Board's direct support organizations existing as permitted by Section 1001.453, Florida Statutes, as permitted by Section 112.3148(6)(d), Florida Statutes;

(e) accepting any salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the School Board Member's employment, business or service as an officer or director of a corporation or organization as permitted by Section 112.312(12)(b)1, Florida Statutes;

(f) accepting any contributions or expenditures reported pursuant to Chapter 106, Florida Statutes, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party as permitted by Section 112.312(12)(b)2, Florida Statutes;

(g) accepting an honorarium or an expense related to an honorarium event paid to a School Board Member or to the School Board Member's spouse as to the extent that they are permitted by Section 112.312(12)(b)3, Florida Statutes;

(h) accepting an award, plaque, certificate or similar personalized item given in recognition of the School Board Member's public, civic, charitable or professional service as permitted by Section 112.312(12)(b)4, Florida Statutes;

(i) accepting an honorary membership in a service or fraternal organization presented merely as a courtesy by such organization as permitted by Section 112.312(12)(b)5, Florida Statutes;

(j) accepting any use of a public facility or public property, made available by a governmental agency, for a public purpose as permitted by Section 112.312(12)(b)6, Florida Statutes;

(k) accepting any transportation, lodging or parking provided to a School Board Member by an agency the school district in relation to officially approved governmental business as permitted by Section 112.312(12)(b)7, Florida Statutes;

(l) accepting any gifts provided directly or indirectly by a state, regional or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to a School Board Member as permitted by Section 112.312(12)(b)8, Florida Statutes.

2.5 **Copies of Gift Disclosure Reports.** School Board Members shall provide the Supervisor – Official School Board Records with copies of any Quarterly Gift Disclosure Report (COE-Form 9) or of any Annual Disclosure of Gifts from Governmental Entities and Direct

Support Organizations and Honorarium Event Related Expenses (COE-Form 10) within thirty (30) days of their filing with the Florida Commission on Ethics.

2.6 **Misuse of Office.** No School Board Member shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

2.7 **Disclosure or Use of Certain Information.** A School Board Member may not disclose or use information not available to members of the general public and gained by reason of his or her official position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

Part 3. Outside Employment and Contractual Services.

3.0 **Employment as Lobbyist.** School Board Members shall not be employed for compensation as a lobbyist or engage in lobbying activities before the Broward County Commission, any Broward County municipality or any other local taxing authority located within Broward County, inclusive of taxing authorities, quasi-judicial boards, appointed boards, and commissions, except when appearing on behalf of The School Board at its direction. This form of employment is deemed to be in substantial conflict with the proper discharge of a School Board Member's duties and the public interest. Nothing herein precludes any School Board Member from appearing in an individual capacity, without compensation, before any governmental agency or official to advocate for or against any pending issue or matter.

3.1 **Employment (Other):** Except as limited by Section 3.0, School Board Members may engage in other lawful outside employment consistent with their public duties and where not

inconsistent with Part III of Chapter 112, Florida Statutes. School Board Members shall quarterly disclose (1) any outside or concurrent employment for which they were compensated in excess of \$100, or (2) any contractual services for which they received fees in excess of \$100, by filing a form substantially similar to the attached SBBC Ethics Form A – Quarterly Report of Outside Employment and Contractual Services. The form shall be filed with the Supervisor – Official School Board Records no later than the last business day of the calendar quarter that follows the calendar quarter for which it is filed. This section shall not apply to any employment of a School Board Member by a relative or to any funds received from the federal government.

Part 4 School Board Member Contacts with Lobbyists.

4.1 **Reporting of Lobbying Activity:** School Board Members shall report any and all lobbying activity that knowingly occurs between that School Board Member, and individual lobbyists, or the principal or employer of a lobbyist ~~concerning any issue that is currently before The School Board or that may in the future come before The School Board.~~ For the purposes of this section, “lobbying activity” means any communication with a School Board Member for the purpose of influencing any action, non-action, or decision-making; attempting to obtain the good will of a School Board Member; or attempt to encourage a School Board Member to pass, defeat or modify any proposal or recommendation. Reporting is mandated for all forms of activity to lobby an individual School Board Member, inclusive of written correspondence or any form of electronic or telephonic communication. This section shall not require a School Board Member to report any bulk or transitory communications they have received.

4.2 **Form and Method of Reporting:** Except as otherwise required herein, all lobbying reports required under this policy shall be made no later than ten (10) days from the lobbying activity by the lobbyist or their principal or employer. For the purposes of this policy,

days are calculated using days during which The School Board's administration is open and conducting business. However, reports shall be made no later than prior to the commencement of a School Board meeting wherein the matter lobbied on is debated and/or voted upon. Even if the matter is on the consent agenda, disclosure of the lobbying activity is still required prior to voting. All reports shall be in writing and filed with the Supervisor – Official School Board Records on a form substantially similar to the attached SBBC Ethics Form B – School Board Member's Lobbying Contact Report. At a minimum, said form must list the lobbyist's name, the principal or employer of said lobbyist, the subject matter of lobbying activity, and the date and location of the lobbying activity. These lobbying activity report forms are public records and are subject to public inspection both in hard copy and also in a searchable manner via the school district's website.

Part 5 **Solicitation and Receipt of Contributions.**

5.0 **District Fundraising Policy:** The provisions set forth in this policy regarding charitable and campaign fundraising are in addition to any other disclosures and requirements required by applicable state or federal statute. “Fundraising” under this part of School Board Policy 1007 refers to a School Board Member’s verbal or written encouragement of others to donate money or goods or services to (1) a non-profit charitable organization (as defined under the Internal Revenue Code) or (2) to the School Board Member’s campaign for political office or to the campaigns of other candidates for political office. Passive activity or unintentional acts of a School Board Member or personal contributions made by a School Board Member to any charity or political campaign shall not constitute fundraising for the purposes of this policy.

5.1 **Charitable Fundraising:** A School Board Member may solicit funds for a non-profit charitable organization (as defined under the Internal Revenue Code) as long as there is no

quid pro quo or other special consideration or direct or indirect personal benefit between the School Board Member and the non-profit charitable organization. School Board Members may not use school district employees during work hours or other school district resources in connection with charitable fundraising. This restriction does not preclude a School Board Member from soliciting funds for school district-sponsored programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes. This restriction shall not preclude the use of school district employees or other school district resources in connection with school district-sponsored programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes.

5.2 **Quarterly Charitable Fundraising Report:** Except as provided herein, School Board Members shall quarterly report any and all solicitations they make seeking funds for charitable purposes. This provision does not apply to school district-sponsored programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes. This provision does not apply to campaign fundraising which is addressed separately under this policy.

5.3 **Form and Method of Quarterly Charitable Fundraising Report:** All required quarterly report of charitable fundraising shall be made no later than the last business day of the calendar quarter that follows the calendar quarter for which disclosure is made of a School Board Member's charitable fundraising activities. All reports must be in writing and on a form substantially similar to the attached SBBC Ethics Form C – School Board Member's Quarterly Charitable Fundraising Report. At a minimum, said form must list the name of the charitable non-profit organization, the subject matter of the charitable fundraising activity, and the date(s) of the charitable fundraising activity. These charitable fundraising disclosure forms are public

records and shall be available for public inspection in hard copy and also in a searchable manner via the school district's website.

5.4 **Campaign Contribution Fundraising:** School Board Members shall not knowingly accept campaign contributions for their own campaigns or the campaigns of other candidates for political office from a person or an entity, its principals, or their lobbyists during the period in which said person or entity is attempting to sell goods or services to The School Board. This period of limitation upon the acceptance of campaign contributions shall be the “cone of silence” period for any solicitation for a competitive procurement as described in School Board Policy 3320, Part II, Section HH. If a School Board Member learns after receipt of a campaign contribution that it was improperly made during the cone of silence, the School Board Member shall return the campaign contribution to the donor and notify the Superintendent or his designee of the returned campaign contribution. School Board Members may not use school district employees during work hours or other school district resources in connection with efforts to raise campaign contributions. Further, no solicitation for a campaign contribution for any political candidate may be made on school district property or using school district resources. However, nothing herein shall preclude the rental of a school facility after school hours for use for a campaign activity or fundraiser pursuant to School Board Policies 1341 and 1400.1.

Part 6 **Procurement Selection Committees.**

6.0 **Procurement Selection Committees:** A School Board Member shall not serve as a member of a school district procurement selection or evaluation committee, shall not influence the selection of persons serving on such committees, shall not participate or interfere in any manner with the functions or activities of such committees, and shall not interfere with the

performance by school district staff of their duties pertaining to the selection process. This provision is not to be considered a limitation on the ability of a School Board Member to make full inquiry through the Superintendent of Schools or his/her designee about the selection process before, during or after the conclusion of such process or to take any other action expressly permitted by any School Board Policy.

Part 7 **Training and Education.**

7.0 **Training for New School Board Members.** New School Board Members shall receive a minimum of four (4) hours of training within the first four (4) months of office on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), and under this policy. This training may be received from programs presented through the school district or made available through sources including, without limitation, The School Board's Office of the General Counsel, colleges and universities, municipal or local government organizations, state agencies, and non-profit organizations. The new School Board Member shall file an acknowledgment of such training upon its completion with the Supervisor – Official School Board Records within five (5) months of taking office on a form substantially similar to the attached SBBC Ethics Form D – New School Board Member's Orientation Training Report. Training received by a new School Board Member to satisfy the requirements of this section shall also satisfy that School Board Member's annual training responsibility under Section 7.1.

7.1 **Continuing Training for School Board Members.** Each School Board Member shall annually attend or participate in a minimum of four (4) hours of continuing education training on the topics of the Florida Sunshine Law, the Florida Open Public Records

Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), and under this policy. This training may be received from programs presented through the school district or made available through sources including, without limitation, The School Board's Office of the General Counsel, colleges and universities, municipal or local government organizations, state agencies, and non-profit organizations. Each School Board Member shall file an acknowledgment of such training upon its completion with the Supervisor – Official School Board Records by December 31st of each year on a form substantially similar to the attached SBBC Ethics Form E – School Board Member's Annual Training Report.

Part 8 **Roles of School Board and Superintendent.**

8.1 **Role of School Board.** In accordance with the provisions of Section 4(b) of Article IX of the State Constitution, The School Board shall operate, control and supervise all free public schools in its district and may exercise any power except as expressly prohibited by the State Constitution or general law. After considering recommendations submitted by the Superintendent of Schools, The District School Board shall exercise the following general powers:

8.1.1 Determine policies and programs consistent with state law and rule deemed necessary by it for the efficient operation and general improvement of the Broward County district school system;

8.1.2 Adopt rules pursuant to Sections 120.536(1) and 120.54, Florida Statutes, to implement the provisions of law conferring duties upon The School Board to supplement those prescribed by the State Board of Education and the Commissioner of Education;

8.1.3 Prescribe and adopt standards and policies to provide each district school student the opportunity to receive a complete education program, including language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as defined by the Sunshine State Standards. The standards and policies must emphasize integration and reinforcement of reading, writing and mathematics skills across all subjects, including career awareness, career exploration, and career and technical education;

8.1.4 Contract, sue and be sued. The School Board shall constitute the contracting agent for the Broward County district school system;

8.1.6 Assign students to district schools; and

8.1.7 Enter into agreements for accepting credit card, charge card, and debit card payments as compensation for goods, services, tuition and fees, as authorized by law; and

8.1.5 Perform duties and exercise those responsibilities that are assigned to it by law or by the rules of the State Board of Education or the Commissioner of education and, in addition thereto, those that it may find to be necessary for the improvement of the Broward County district school system in carrying out the purposes and objectives of the education code.

8.2 **Role of Superintendent.** Responsibility for the administration and management of the schools and for the supervision of instruction in the district shall be vested in the Superintendent of Schools as provided by law. The Superintendent of Schools shall have the authority, and when necessary for the more efficient and adequate operation of the Broward County district school system, the Superintendent of Schools shall exercise the following powers:

8.2.1 Exercise general oversight over the Broward County district school system in order to determine problems and needs, and recommend improvements; and

8.2.2 Advise and counsel with The School Board on all educational matters and recommend to The School Board for action such matters as should be acted upon; and

8.2.3 Recommend to The School Board for adoption such policies pertaining to the Broward County district school system as the Superintendent of Schools may consider necessary for its more efficient operation; and

8.2.4 Prepare and organize by subjects and submit to The School Board for adoption such rules to supplement those adopted by the State Board of Education as, in the Superintendent of Schools' opinion, will contribute to the efficient operation of any aspect of education in the district. When rules have been adopted, the district school superintendent shall see that they are executed; and

8.2.5 From time to time prepare, organize by subject, and submit to The School Board for adoption such minimum standards relating to the operation of any phase of the Broward County district school system as are needed to supplement those adopted by the State Board of Education and as will contribute to the efficient operation of any aspect of education in the district and ensure that minimum standards adopted by The School Board and the State Board of Education are observed; and

8.2.6 Perform such duties and exercise such responsibilities as are assigned to the Superintendent of Schools by law and by rules of the State Board of Education.

SBBC ETHICS FORM A

**SCHOOL BOARD MEMBER'S QUARTERLY REPORT OF
OUTSIDE EMPLOYMENT AND CONTRACTUAL SERVICES**

SCHOOL BOARD MEMBER NAME: _____

FOR QUARTER ENDING (CHECK ONE):

___ MARCH ___ JUNE ___ SEPTEMBER ___ DECEMBER YEAR 20___

Pursuant to School Board Policy 1007, please list below each outside employment you held or any outside contractual services you performed during the calendar quarter for which this report is being filed. You are required to report the name and address of your employer or party for whom you performed contractual services and the amount of any remuneration you received from that employment or performing those services during the quarter. These quarterly reports of outside employment and contractual services forms are public records and shall be available for public inspection. **You are not required to file this form for any calendar quarter during which you did not have any outside employment or perform any outside contractual services.**

<u>Employer or Contractor Name</u>	<u>Employer or Contractor Address</u>	<u>Amount of Remuneration During Quarter</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

___ CHECK HERE IF CONTINUED ON SEPARATE SHEET

Date: _____, 20 _____
Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which it is filed (For example, if employed or performing contractual services in March, it should be disclosed by June 30).

SBBC ETHICS FORM B
SCHOOL BOARD MEMBER'S LOBBYING CONTACT REPORT

SCHOOL BOARD MEMBER NAME: _____

Instructions: Pursuant to School Board Policy 1007, please provide the information requested below for any occasion of lobbying activity that has occurred between the School Board Member and an individual lobbyist, or the principal or employer of a lobbyist, concerning any issue that is currently before The School Board or that may in the future come before The School Board. Reporting is mandated for all forms of activity to lobby a School Board Member, inclusive of personal communication, written correspondence or any form of electronic or telephonic communication. These lobbying contact report forms are public records and are subject to public inspection both in hard copy and also in a searchable manner via the school district's website.

Name of Person Making Lobbying Contact: _____

Principal/Employer of Person Making Lobbying Contact: _____

Date of Lobbying Contact: _____

Location of Lobbying Contact: _____

Subject Matter of Lobbying Activity: _____

Date: _____, 20 _____

Signature of School Board Member

FILING INSTRUCTIONS:

All lobbying reports required under School Board Policy 1007 shall be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. Reports shall be filed within ten (10) days of the contact with the lobbyist or their principal or employer or prior to the debate and voting at a School Board meeting wherein the matter lobbied on is debated and/or voted upon, whichever first occurs. For the purposes of School Board Policy 1007, days are calculated using days during which The School Board's administration is open and conducting business.

SBBC ETHICS FORM C
SCHOOL BOARD MEMBER'S
QUARTERLY CHARITABLE FUNDRAISING REPORT

SCHOOL BOARD MEMBER NAME: _____

FOR QUARTER ENDING (CHECK ONE):

MARCH
 JUNE
 SEPTEMBER
 DECEMBER
 YEAR 20____

In accordance with School Board Policy 1007, please list below each charitable fundraising activity you performed during the calendar quarter for which this report is being filed. You are required to report the name and address of the charitable organization on whose behalf you made solicitations, the subject matter of the fundraising activity, and the date(s) during which you participated in fundraising activities. These charitable fundraising report forms are public records and shall be available for public inspection in hard copy and also in a searchable manner via the school district's website. **You are not required to include in this form any fundraising efforts pertaining to campaign fundraising or to school district-sponsored charitable programs or events or those of The School Board's direct-support organizations existing under Section 1001.453, Florida Statutes.**

<u>Name of Charitable Organization</u>	<u>Subject Matter of Fundraising Activity</u>	<u>Date(s) of Fundraising Activities</u>

CHECK HERE IF CONTINUED ON SEPARATE SHEET

Date: _____, 20____ _____
 Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which it is filed (For example, if charitable fundraising activities are conducted in March, it should be disclosed by June 30).

SBBC ETHICS FORM D
NEW SCHOOL BOARD MEMBER'S ORIENTATION TRAINING REPORT

SCHOOL BOARD MEMBER NAME: _____

Please list below the date(s) and hours of each training segment received as a new School Board Member on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees) and under School Board Policy 1007. New School Board Members shall receive a minimum of four (4) hours of such training within the first four (4) months of office. Such training shall be provided through the Superintendent of Schools or his/her designee. New School Board Members are strongly encouraged to participate in any additional training for new School Board Members that may be provided by the Florida School Boards Association. These New School Board Member Orientation Training Report forms are public records and shall be available for public inspection.

<u>Date</u>	<u>Name of Provider of Training Program</u>	<u>Hours of Training</u>

TOTAL HOURS: _____

___ CHECK HERE IF CONTINUED ON SEPARATE SHEET

I, the person whose name appears at the beginning of this form, state that the information disclosed herein and on any attachments made by me constitutes a true, accurate and total listing of all New School Board Training I received on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), School Board Policy 1007 and required to be reported under School Board Policy No. 1007.

Date: _____, 20 _____

Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed within five (5) months of taking office as a School Board Member.

SBBC ETHICS FORM E
SCHOOL BOARD MEMBER'S ANNUAL TRAINING REPORT

SCHOOL BOARD MEMBER NAME: _____

Please list below the date(s) and hours of each training segment received as a School Board Member on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees) and under School Board Policy 1007. School Board Members shall annually receive a minimum of four (4) hours of such training. This training may be received from programs presented through the school district or made available through sources including, without limitation, colleges and universities, municipal or local government organizations, state agencies, and non-profit organizations. These School Board Member Annual Training Report forms are public records and shall be available for public inspection.

<u>Date</u>	<u>Name of Provider of Training Program</u>	<u>Hours of Training</u>

TOTAL HOURS: _____

I, the person whose name appears at the beginning of this form, state that the information disclosed herein and on any attachments made by me constitutes a true, accurate and total listing of all annual School training I received on the topics of the Florida Sunshine Law, the Florida Open Public Records Act, and ethical standards contained in Part III of Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees), School Board Policy 1007 and required to be reported under School Board Policy No. 1007.

Date: _____, 20 _____

Signature of School Board Member

FILING INSTRUCTIONS:

This form must be filed with the Supervisor – Official School Board Records, 600 S.E. 3rd Avenue, 2nd Floor, Fort Lauderdale, Florida 33301. The form must be filed by School Board Members by December 31st of each year.

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