

Jackson-Madison County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: Code of Ethics	Descriptor Code: 1.106	Issued Date: 09/14/23
		Rescinds: 1.106	Issued: 07/13/23

CODE OF ETHICS¹

JACKSON-MADISON COUNTY SCHOOL DISTRICT

Section 1. Definitions.

(1) “School district” means Jackson-Madison 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 instrumentalities appointed or created by the school district or an official of the school district.

(2) “Official and employee” 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, 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.

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

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the disclosure form and file the disclosure form with the school district’s central office. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. An official or employee, or an official’s or employee’s spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district that a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing decision-making authority affecting the school district.

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

Section 5. Ethics Complaints. The school district may create a School District Ethics Committee (the “Ethics Committee”) consisting of five (5) members who will be appointed to one-year terms by the Chair of the Board of Education with confirmation by the Board of Education. The members of the Ethics Committee shall be residents of Madison County. The members of the Ethics Committee shall not be a current District employee or current Board of Education member. The Ethics Committee shall convene as soon as practicable after its appointment and elect a Chair and a Secretary. The records of the Ethics Committee shall be maintained by the secretary and shall be filed in the office of the Director of Schools, where they shall be open to public inspection.

Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed by the person making the complaint and shall set forth in reasonable detail the facts upon which the complaint is based.

The Ethics Committee may investigate any credible complaint against an official or employee charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Ethics Committee’s judgment, constitutes a violation of this Code of Ethics. If a member of the Ethics Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint.

The Ethics 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 official, refer the matter to the school board body for possible public censure if the board body finds such action warranted;
- (3) In the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted; or
- (4) In a case involving possible violation of state statutes, refer the matter to the district attorney for possible ouster or criminal prosecution.

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Point of Contact

- 1 The Board Chair shall serve as the point of contact for the Tennessee Ethics Commission. The Director
2 of Schools shall provide the contact information to the Commission and ensure that any changes are
3 submitted within thirty (30) calendar days.²

Legal References

1. TCA 8-17-103
2. Public Acts of 2023, Chapter No. 37

Cross References

Duties of Board Members 1.202