

## POWERS AND ETHICS

0121 Authority

The supervision of the public schools of this District shall be conducted by the School Board of Brevard County, Florida, hereinafter referred to as the "Board," which is constituted by Section 4, 5.4(6), Article IX, State Constitution and F.S. 1001.40.

0122 Board Powers

The Board shall be a body politic and corporate, and, as such, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing, and disposing of real and personal property; taking and holding in trust for the use and benefit of the District, any grant or devise of land and any donation or bequest of money or other personal property. F.S. 1001.41, 1001.42, 1001.43

As prescribed by law, the general powers of the Board are the determination of educational policies; the adoption of such rules and regulations to supplement those prescribed by the State Board as will contribute to the more orderly and efficient operation of the school system; the determination of minimum standards; and the performance of any duties that are assigned to it by law or by State Board regulations and that are found by it to be necessary for the improvement of the school system in carrying out the purposes and objectives of the Florida Constitution and Florida statutes.

The Board shall perform all duties found in Florida statutes and shall provide educational opportunity as required by the Florida statutes.

F.S. 1000.21, 1001.42

0122.1 Member Powers

Board members as individuals do not separately possess the powers that reside in the Board. Board members shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is pursuant to specific official instructions of the Board.

0123 Code of Ethics

While serving on the Board, each member shall agree to abide by the following code of ethics:

- A. remember that the first and greatest concern must be the educational welfare of all students attending the public schools;
- B. obey the laws of Florida and the United States;
- C. respect the confidentiality of privileged information;
- D. recognize that as an individual Board member there is no authority to speak or act for the Board;
- E. work with other members to establish effective Board policies;
- F. delegate authority for the administration of the schools to the Superintendent and staff;
- G. encourage ongoing communications among Board members, the Board, students, staff, and the community;
- H. render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups;
- I. make every effort to attend all Board meetings;
- J. become informed concerning the issues to be considered at each meeting;
- K. improve boardsmanship by studying educational issues and by participating in inservice programs;

- L. support the employment of staff members based on qualifications and not as a result of influence;
- M. cooperate with other Board members and administrators to establish a system of regular and impartial evaluations of all staff;
- N. avoid conflicts of interest or the appearance thereof;
- O. refrain from using the Board position for personal benefit or the benefit of family members or business associates;
- P. express personal opinions, but once the Board has acted, accept the will of the majority;
- Q. cooperate in assessing the effectiveness of the Board as a whole.

~~Revised 4/22/08~~

All Board members shall complete four (4) hours of ethics training annually that addresses, at a minimum, Section 8, Article II of the State Constitution ~~the constitutional "Sunshine Law" provisions (Article II, Section 8)~~, the statutory Code of Ethics for Public Officers and Employees (F.S. Chapter 112, Part III), and the public records and public meetings laws. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.

Furthermore, pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student which the Board member knows to be false or incorrect. Violation of this provision will result in the forfeit of the Board member's salary for one (1) year.

F.S. 112.313, 112.3142, 112.3148, 112.3149, 1001.42(6)  
F.S. 1001.421, 1012.23  
F.A.C. 6B-1.001, 6B-1.006