THE LIVERPOOL
CENTRAL SCHOOL DISTRICT

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ETHICS COMMITTEE
CHARTER

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INDEX

The Ethics Committee’s Mission................................................................. 1
The Ethics Committee’s Authority ............................................................ 1
Appointment of Committee Members....................................................... 1
Qualifications of Committee Members..................................................... 2
Prohibitions on Committee Membership ................................................ 2
The District’s Ethics Officer................................................................. 2
The Committee’s Duties and Responsibilities......................................... 2
Confidentiality Requirement .................................................................. 3
Indemnification......................................................................................... 3
Meetings of the Ethics Committee............................................................ 3
Executive Sessions................................................................................... 4
Minutes of Ethics Committee Meetings.................................................... 4
Decision-Making Process......................................................................... 4
Consultation and Reporting .................................................................... 4
THE ETHICS COMMITTEE’S MISSION

By this Charter, the Board of Education (the “Board”) of the Liverpool Central School District (the “District”) exercises the authority granted by Article 18 of the General Municipal Law (the “GML”) to establish a District board of ethics (the “Ethics Committee”).

The mission of the Ethics Committee is to provide independent advice and recommendations to District officers, employees and the Board regarding ethical issues. The purpose of the Committee is to strengthen the confidence of the school community in the integrity of school district officials, help preserve the integrity of the decision-making process, and provide an opportunity for citizens to raise ethical questions regarding District operations and to have said questions resolved by a fair and independent entity.

To accomplish its mission, the Committee shall have the authority to render advisory opinions to the Board, District officers and employees with respect to the District’s Code of Ethics, make recommendations with respect to the amendment of said Code of Ethics, and perform other acts as set forth in this Charter.

THE ETHICS COMMITTEE’S AUTHORITY

The Ethics Committee has been formed pursuant to Article 18 of the GML and, subject to the requirements of this Charter, shall have the powers, responsibilities and limitations established by said statute. The role of the Ethics Committee is advisory only. Any recommendations the Ethics Committee provides to the Board are not a substitute for action required of the Board.

APPOINTMENT OF COMMITTEE MEMBERS

Upon the initial formation of the Ethics Committee, the Board shall designate five (5) members of the Committee. The term of appointment of all members shall be for the balance of the fiscal year and until a successor committee is appointed at the annual reorganization meeting of the Board. The number of members shall be determined by the Board at the reorganization meeting and may be changed at any point during the fiscal year, provided the Ethics Committee has a minimum of five (5) members at all times. The Committee shall select one of its members to serve as the Chairperson of the committee.

All members of the Ethics Committee shall serve at the pleasure of the Board and may be removed by resolution of the Board. A member of the Ethics Committee may resign upon written notice delivered to the Clerk of the Board. Upon removal or resignation of a Committee member, the Board shall appoint a successor member to complete the unexpired portion of said member’s term.
The members of the Ethics Committee shall serve without compensation. They shall, however, be entitled to reimbursement for actual and necessary expenditures incurred in relation to their attendance at meetings.

QUALIFICATIONS OF COMMITTEE MEMBERS

At least one member of the Committee shall be an elected or appointed District officer or employee. All members of the Ethics Committee shall be able to read and write.

PROHIBITIONS ON COMMITTEE MEMBERSHIP

No member of the Ethics Committee should have any relationship that would interfere with the exercise of his or her independent judgment as a member of the Committee. In consideration of the necessity for the Committee members to be independent, no more than one elected or appointed District officer or employee, and no more than one immediate member of a family, may simultaneously serve as a member of the committee. In addition, no member of the committee may simultaneously hold another incompatible public office.

THE DISTRICT’S ETHICS OFFICER

The Superintendent of Schools shall be designated as the District’s Ethics officer and shall have responsibility to receive all inquiries and complaints regarding ethical issues or questions related to actions of District officers, employees and agents. In the event the specific inquiry or question relates to actions of the Superintendent of Schools, the inquiry or question shall be referred to the President of the Board of Education for further action.

THE COMMITTEE’S DUTIES AND RESPONSIBILITIES

The Ethics Committee shall have the authority to render advisory opinions to the Board, District officers and employees with respect to the application of the District’s Code of Ethics. Said opinions shall be rendered only upon the written request of the Board and all requests by officers, employees and third parties for an advisory opinion shall initially be submitted to the Board for its consideration and, if deemed appropriate, referral to the Committee. The Committee’s opinions are to be written and shall be rendered pursuant to rules and regulations to be recommended by the Committee and approved by the Board. The Committee may request the advice of counsel employed by the Committee or, if none, the Board’s attorney. The Committee shall also have the power and responsibility to make written recommendations to the Board with respect to the amendment of the District’s Code of Ethics and other Board policies that impact on
ethical issues. In addition, the Committee shall also perform such other acts as are requested of it by the Board. Where appropriate, the Committee may refer an issue to the Onondaga County Board of Ethics for its consideration and action.

CONFIDENTIALITY REQUIREMENT

The Ethics Committee members may be given access to confidential information during the performance of their duties and responsibilities. Each member of the Ethics Committee shall maintain the confidentiality of such information and may not publish or discuss the same with anyone except as provided in this Charter or as otherwise required by law.

INDEMNIFICATION

Provided they perform their duties in good faith, the District shall indemnify the members of the Ethics Committee pursuant to and in accordance with the provisions of Education Law §§ 3811 through 3813, Education Law §3023 and Public Officers Law §18 for the cost of defense and any financial loss arising out of any claim, demand, suit or judgment for injury caused to a third person by reason of the alleged negligence or other act performed in the discharge of his or her duties and responsibilities as a member of the Ethics Committee.

The District’s obligation to indemnify any member of the Ethics Committee is expressly conditioned upon (i) said member delivering a written request that the District provide for his or her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading, to the attorney for the Board or the Superintendent of Schools within five (5) days after he or she is served with such document, (ii) thereafter fully cooperating in the defense of any action or proceeding against the District and in the prosecution of any appeal regarding the same, and (iii) otherwise complying with the requirements of said statutes.

MEETINGS OF THE ETHICS COMMITTEE

The Ethics Committee shall meet initially upon its formation to draft proposed rules and regulations for its operations to be recommended by the Committee and approved by the Board. Thereafter, the Ethics Committee shall meet upon request of the Board or as the need arises for its consideration of matters submitted to it by the Board. The Committee shall provide public notice of all meetings in accordance with the requirements of the Open Meetings Law. No meeting of the Committee may be conducted unless a quorum, consisting of a simple majority of the total Committee membership, is present. The agenda for each meeting should be clearly determined prior to the meeting and the members of the Ethics Committee should receive supporting documents in advance to enable reasonable review and consideration. Any member of the public may attend the public portion of an Ethics Committee meeting.

- 3 -
EXECUTIVE SESSIONS

The Ethics Committee may conduct an executive session pursuant to §105 of the Public Officers Law pertaining to any matter related to personally identifiable individuals or such other matters as counsel for the Board shall determine are appropriate topics for executive session discussion. Any member of the Board may attend an executive session of the Ethics Committee unless the committee determines otherwise.

MINUTES OF ETHICS COMMITTEE MEETINGS

The Ethics Committee shall prepare and maintain minutes of every meeting of the committee. At a minimum, the minutes will include the following:

1. Copies of the meeting agenda;
2. the date, attendance and location of the meeting;
3. a brief summary of the topics discussed;
4. copies of materials discussed or presented at the meeting; and
5. a record of all actions or recommendations agreed to by the committee.

The Ethics Committee shall keep separate minutes of executive session discussions.

DECISION-MAKING PROCESS

Whenever possible, decisions of the Ethics Committee shall be reached by consensus of those members present at a meeting of the committee. If consensus cannot be reached, decisions will be made by the simple majority vote of the Committee members present at the meeting. All actions of the Committee shall take place at a duly convened meeting of the Committee, and there shall be no votes by proxy or absentee ballot. The Ethics Committee shall prepare proposed rules for its operation and submit the same to the board for its approval. Said rules of operation may thereafter be modified with approval of the Board.

CONSULTATION AND REPORTING

The Ethics Committee shall meet with the Board upon request to discuss its operations. The Committee shall also provide the Board with minutes of meetings and executive sessions which clearly record the discussions, actions and recommendations of the committee.