

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 9, SECTION 2-9.4 ENTITLED, "GENERAL RULES GOVERNING PUBLIC CONDUCT BY SCHOOL BOARD MEMBERS AND EMPLOYEES REGARDING GIFTS AND FAVORS" OF THE POLICIES OF THE SUFFOLK CITY SCHOOL BOARD — FIRST READING

BE IT ORDAINED, by the School Board of the City of Suffolk, Virginia that Chapter 2, Article 9, Section 2-9.4, entitled "General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors" of the Policies of the Suffolk City School Board, be, and the same is hereby amended to read as follows:

Section 2-9.4. General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors. — Neither the School Board collectively, nor any member of the Board, shall:

- (a) solicit or accept money, or anything else of value, for services performed within the scope of his or her official duties other than his or her regular compensation, expenses or other remuneration;
- (b) offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion in the school division;
- (c) offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division;
- (d) use for his or her own economic benefit, or anyone else's, confidential information gained by reason of his or her office, and which is not available to the public;
- (e) accept any money, loan, gift, favor or service or business or professional opportunity that might reasonably tend to influence the discharge of duties;
- (f) accept any business or professional opportunity ~~from which a School Board member may gain a financial benefit, where the member~~ when the School Board Member knows ~~or should know that~~ there is a reasonable likelihood that the opportunity is being offered with intent to influence ~~his or her~~ the Board Member's conduct in the performance of official duties;
- (g) accept a gift from a person who has interests that may be substantially affected by the performance of the School Board member's or employee's official duties under the circumstances where the timing and nature of the

gift would cause a reasonable person to question Board member's or employee's impartiality in the matter affecting the donor;

- (h) accept gifts from sources on basis so frequent as to raise an appearance of the use of the Board member's office or employment for private gain; or
- (i) use the Board's members public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this prohibition shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law.

(Adopted: April 14, 2016; Ordinance Number 15/16-22; Effective Date July 1, 2016)

Legal Authority - Virginia Code §§ 2.2-3103, 2.2-3102, 2.2-3103, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118, 2.2-3119, 2.2-3121, and 2.2-3124, 2.2-3132 and 30-3056 (1950), as amended.

FIRST READING: _____

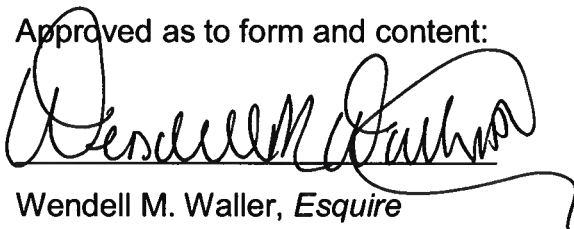
SECOND READING: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:



Wendell M. Waller, *Esquire*
School Board Attorney