

BOARD MEMBER CONFLICT OF INTEREST

The Board and individual members follow the letter and spirit of the law regarding conflicts of interest.

A Board member will not have any direct or indirect pecuniary interest in a contract with the District; will not furnish for remuneration any labor, equipment or supplies to the District; nor be employed by the Board in any capacity for compensation.

A Board member may have a private interest in a contract with the Board if all of the following apply:

1. the subject of the public contract is necessary supplies or services for the school district;
2. the supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the school district as part of a continuing course of dealing established prior to the board member's becoming associated with the school district;
3. the treatment accorded the school district is either preferential to or the same as that accorded other customers or clients in similar transactions and
4. the entire transaction is conducted at arm's length, with full knowledge by the Board of the interest of the Board member, member of his family, or his business associate, and the Board member takes no part in the deliberations or decision with respect to the public contract.

In the event a Board member is employed by a corporation or business which furnishes goods or services to the District, the Board member will declare the association with the organization and refrain from debating or voting upon the question of the contract. It is not the intent of this policy to necessarily prevent the Board from contracting with corporations or businesses because a board member is an employee of the firm. The policy is designed to prevent placing Board members in positions in which personal interest in the public school and place of employment might conflict and to avoid appearances of conflict of interest, even though such conflict may not exist.

The law specifically forbids:

1. the Prosecuting Attorney or a city attorney from serving on a board;
2. a member from serving as the school dentist, physician, or nurse;
3. a member from being employed for compensation by a board;
4. a member from having, directly or indirectly, any pecuniary interest in any contract with a board;
5. a member from voting on a contract with a person as a teacher or instructor, if he/she is related to that person as father, mother, brother, or sister;

6. a member from authorizing, or employing the authority or influence of his/her office to secure authorization of, any public contract in which he/she, a member of his/her family, or his/her business associates have an interest;
7. a member from having an interest in the profits or benefits of a public contract entered into by, or for the use of, the District and
8. a member from occupying any position of profit during his/her term of office, or within one year thereafter, in the prosecution of a public contract authorized by him/her or a board of which he/she was a member at the time of authorization of that contract.

Adopted: Date of Manual Adoption

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 2921.02(B); 2921.42
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 4117.20