

## Kimberly School District

Policy # 1512

### THE BOARD OF TRUSTEES

#### Conflict of Interest

##### **A trustee may not:**

1. use the trustee's official power to further the trustee's own interests;
2. have a pecuniary interest directly or indirectly (except a remote interest) in any contract or other transaction pertaining to the maintenance or conduct of the school district. A "remote interest" means:
  - A. the trustee is a non-salaried employee of a nonprofit corporation; or
  - B. the trustee is an employee or agent of a contracting party where the compensation of the trustee as an employee or agent consists entirely of fixed wages or salary; or
  - C. the trustee is a landlord or tenant of a contracting party; or
  - D. the trustee is a holder of less than one percent (1%) of the shares of a corporation or cooperative a contracting party ; AND
  - E. the trustee discloses such remote interest to the Board of Trustees.
3. accept any reward or compensation for services rendered as a trustee except as expressly provided by law;
4. accept and award contracts involving the school district to businesses in which a trustee or person related to him by blood or marriage within the second degree has a direct or indirect interest except when the procedures set forth in §§ 18-1361 or 1861A are followed;
5. be involved in the election of a relative related by affinity or consanguinity within the second degree and shall be absent from the meeting while such employment is being considered and/or determined;
6. enter into a contract in the trustee's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;
7. enter into a contract with the trustee's district;
8. accept a bribe in the way for money, a promise, gift or any other form of personal advantage engage in a substantial financial transaction for the trustee's private business purpose with a person whom the trustee inspects or supervises in the course of official duties;
9. be a purchaser or vendor at any sale or purchase made by the trustee in the

- trustee's official capacity;
10. use public funds or property to obtain a pecuniary benefit for himself;
  11. solicit, accept or receive a pecuniary benefit as payment for services, advice, assistance or conduct customarily exercised in the course of the trustee's official business;
  12. use or disclose confidential information gained in the course of or by reason of the trustee's official position or activities in any manner with the intent to obtain a pecuniary benefit for the trustee or any other person or entity in whose welfare the trustee is interested or with the intent to harm the District;
  13. appoint or vote for the appointment of any person related to him by blood or marriage within the second degree to any clerkship, office, position, employment or duty, when the salary, wages, pay or compensation of such appointee is to be paid out of public funds or fees of office, or appointment or furnish employment to any person whose salary, wages, pay or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment. Relation by blood within the second degree includes grandparents and grandchildren. Laterally, it includes brothers and sisters.

Legal Reference:

- |                 |   |
|-----------------|---|
| I.C. § 33-507   | Limitation upon authority of trustees   |
| I.C. § 18-1359  | Use public position for personal gain   |
| I.C. § 18-1361  | Self-Interest Contracts - Exception   |
| I.C. § 18-1361A | Non-compensated Appointed Public Servant – Relative of Public Servant -- Exceptions |
| I.C. § 59-201   | Officers not to be interested in contracts  |
| I.C. § 59-202   | Officers not to be interested in sales  |

Policy History:	First Reading	10/29/02
Adopted on:	Second Reading	11/26/02

Revised on: