

BOARD MEMBER CONFLICT OF INTEREST

In order to further the mission of the schools, to meet the school unit's obligations under applicable law, and to promote public confidence in the schools, Board members should not permit personal financial interests or family allegiances to influence improperly the performance of their duties. This policy is intended to prevent the occurrence of real or apparent conflicts of interest that may impair the mission and reputation of the schools.

Code of Conduct for Federally Funded Procurements. When a Board member participates in the selection, award, or administration of a contract that is supported by a federal award, the Board member shall also comply with Policy DJH – Purchasing and Contracting: Procurement Staff Code of Conduct.

For the purposes of this policy, the following definitions apply:

- “Employee” means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.
- “Volunteer” means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount.

A. Contracts

The Board and the school unit shall not enter into any contract in which a Board member (i) has a direct or indirect pecuniary interest (as defined by law), (ii) is employed by, contracts with or has any other financial interest in an entity which furnishes goods or services to the schools, except as follows:

1. The Board member having the interest makes full disclosure of interest before any action is taken and abstains from voting, negotiating or award of the contract and from otherwise attempting to influence the decision (disclosure and abstention shall be recorded in the minutes of the Board), or
2. The contract is obtained through properly advertised bid procedures in accordance with state law and Board policies.

B. Employment

1. A Board member may not, during the time the member serves on the Board and for one year after the member ceases to serve on the Board, be appointed to any civil office of profit or employment position which has been created or the compensation of which has been increased by action of the Board during the time the member serves on the Board.

2. A Board member may not be an employee in the school unit. The spouse of a Board member may not be a full-time employee of the school unit.
3. A member of the Board may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular or extracurricular program or activity and reports directly to the superintendent, principal, athletic director or other school administrator in the school unit.
4. Volunteer activities of a member of the Board, other than in roles that are prohibited by this section, may be prescribed by policies developed and approved by the Board.

Cross Reference: BCC - Conflict of Interest/Nepotism
DJH - Purchasing & Contracting: Procurement Staff Code of Conduct

Legal References: 17- M.R.S.A. §§ 3104
20-A M.R.S.A. §§ 1002 – 1004.
30-A M.R.S.A. §§ 2604 – 2605.

Policy Adopted: December, 1999
Policy Revised: October, 2012
Policy Revised: December 16, 2013
Revised 3/19/18