

CHARTIERS-HOUSTON SCHOOL DISTRICT

Policy No.: 009

Section: Local Board Procedures

# POLICY GUIDE

Title: CONFLICTS OF INTEREST

Adopted: 8/21/00

Revised:

## POLICY NO. 009

### CONFLICTS OF INTEREST

#### Purpose:

As publicly elected officials, the Board of School Directors is acutely aware of the public trust, and recognize that any effort to realize personal financial gain (other than compensation provided by law) violates that trust. The Board of School Directors also recognizes and acknowledges the importance of avoiding the appearance of impropriety and conflicts of interest and, therefore, establishes the following guidelines in accordance with the Public School Code of 1949, as amended, and the Public Officials and Employees Ethics Act, as amended.

#### Guidelines:

1. No Board member shall use his/her position as a member of the Board of School Directors of the Charters-Houston District, or any information received by virtue of serving as a Board member, for the private pecuniary benefit of himself/herself, or his/her immediate family (parent, spouse, child, brother or sister).
2. No Board member shall use his/her position as a member of the Board of School Directors of the Charters-Houston District, or any information received by virtue of serving as a Board Director, for the private pecuniary benefit of a business with which the Board member or his/her immediate family (parent, spouse, child, brother or sister) is associated. This prohibition shall apply to any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, holding company, joint stock company, receivership, trust or any legal entity organized for profit, in which the Board member or a member of his immediate family is a Director, owner, officer or employee, or in which the Board member or his/her immediate family owns more than five (5%) percent of the equity or assets.
3. Nothing set forth herein shall prohibit a Board member from acting on a matter which affects, to the same degree, the class consisting of the general public or a subclass

consisting of an industry, occupation, or other group which includes the Board member, a member of his/her immediate family (as referenced above) or a business with which he/she or a member of his immediate family is associated (as referenced above), regardless of the extent of any financial interest therein.

4. No Board member shall solicit or accept anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment, with the understanding that his/her vote or judgment on a school district matter would be influenced thereby.

5. No Board member shall accept any payment in recognition of published works, appearances, speeches, and/or presentations in his capacity as a Board member, which is not intended as consideration for the value of non-public occupational or professional services.

6. No Board member shall, during the term for which he/she is elected or appointed as a member of the Board of School Directors of the Chartiers-Houston District, as a private person engage in any business transaction with the Chartiers-Houston District, be employed in any capacity by the School District, or receive from the Chartiers-Houston District, any pay for services rendered to the District except as otherwise provided in the Public School Code of 1949, as amended.

7. Neither the spouse nor the child of a Board member, nor a business with which either of them, or the Board member, is associated, shall enter into a contract with the Chartiers-Houston District or, a subcontract relating to the Chartiers-Houston District, valued at \$500.00 or more, unless the contract has been awarded through an open and public process which included prior public notice and subsequent public disclosure of all proposals considered and contracts awarded, and unless the Board member does not have any supervisory or overall responsibility for implementation or administration of the contract or subcontract. In implementing the foregoing, it is recognized that no specification for any item to be purchased by the School District shall be drawn or accepted which would limit the purchase of the items to a firm, corporation, partnership or other business entity in which a member of the Board of School Directors is an officer, agent or employee and which excludes all other persons who could submit quotations or bid on an equivalent item.

8. In the event that the Agenda of any meeting of the Board of School Directors, or a committee thereof, includes any item which, if voted upon by a Board member, would constitute a conflict of interest and result in his/her violation of any of the guidelines set forth herein, that Board member shall abstain from voting. Specifically, prior to the vote being taken, the Board member shall publicly announce and disclose the nature of his interest, as a public record in a written memorandum in the form attached as Exhibit "A" to this policy and filed with the Board Secretary. Notwithstanding the foregoing, if the School Board would be unable to take any action on the matter before it because the number of Board members required to abstain from voting under this policy makes it impossible to obtain the number of votes legally required to approve an item, those Board members otherwise required to abstain shall be permitted to vote provided the appropriate disclosures are made.

CHARTIERS-HOUSTON DISTRICT

BOARD OF SCHOOL DIRECTORS

MEMORANDUM OF PUBLIC OFFICIAL'S CONFLICT OF INTEREST  
PURSUANT TO SECTION 3 (J) OF THE PUBLIC OFFICIAL AND  
EMPLOYEE ETHICS LAW, AS AMENDED

Pursuant to Section 3 (j) of the Public Official and Employee Ethics Law, I hereby abstain from voting on the below-referenced motion because of a real, perceived or potential conflict of interest and hereby disclose the nature of the interest for the public record:

MOTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NATURE OF CONFLICT OF INTERESTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Public Official

SPECIAL INSTRUCTIONS:

1. The nature of the interest must be publicly announced and disclosed PRIOR TO A VOTE BEING TAKEN.
2. This memorandum must be filed with the person responsible for recording the minutes of the meeting at which the vote is taken and must be attached to the approved minutes as a public record.