PROHIBITION AGAINST EMPLOYMENT OF BOARD MEMBERS

Conflict of Interest – Employment of Family Member of Board Member or Supervisor and Employment of Board Member

1. A member of the Board of Education or an administrator or other employee with supervisory responsibilities may employ or recommend or supervise the employment of an immediate family member if:

    a. He or she does not abuse his or her official position (for this purpose, "abuse" means employing an immediate family member: who is not qualified for and able to perform the duties of the duties of the position; at an unreasonably high salary; or who is not required to perform the duties of the position);
    b. He or she makes a full disclosure on the record to the Board of Education and a written disclosure to the Superintendent and/or Secretary of the Board; and,
    c. The Board of Education approves the employment or supervisory position.

2. No immediate family member of a Board of Education or an administrator or other employee with supervisory responsibilities shall be employed by the School District:
    a. Without first having made a reasonable solicitation and consideration of applications for such employment.
    b. Who is not qualified for and able to perform the duties of the position.
    c. For any unreasonably high salary.
    d. Who is not required to perform the duties of the position.

3. Neither the Board of Education nor an administrator or other employee with supervisory responsibilities shall terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

4. This policy shall not apply to an immediate family member of a member of the Board of Education or an administrator or other employee with supervisory responsibilities who was previously employed in a position with the School District prior to the election or appointment of the Board member or employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes his or her responsibilities, such Board member, administrator or other employee with supervisory responsibilities shall make a full disclosure of any immediate family member employed in a position subject to this policy.

5. A conflict of interest is created when a board member serves simultaneously as both a board member and an employee in any capacity, whether certified or non-certified. Therefore, a board member shall not be employed by the school district when serving on the board. If an employee is elected or appointed to the board, his or her employment shall be terminated upon being seated on the board. Because of the conflict that is created by a board member's applying for employment while sitting on the board, a board member who wishes to apply for employment shall be required to resign from the board before applying. No member of the Board of Education shall cast a vote in the election of any employee when the Board member is related by blood or marriage to such employee.

This policy does not prohibit the board from contracting with members of the board for services or products when the relationship is not one of employer/employee and such contracts are in compliance with the requirements of statute and board policy regarding conflicts of interest.

Adopted: November 18, 2004

Revised: September 14, 2009