



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC: Approval of First and Final Reading of DBD (Local)-Employment Requirements and

Restrictions – Conflict of Interest

SUBMITTED BY: Juan Cruz **OF:** Attorney

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: July 23, 2014

RECOMMENDATION:

It is recommended that the Board of Trustees approve the First and Final Reading of DBD (Local) – Employment Requirements and Restrictions – Conflict of Interest

RATIONALE:

BUDGETARY INFORMATION:

POLICY REFERENCE & COMPLIANCE:

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

DISCLOSURE —
GENERAL STANDARD

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

SPECIFIC
DISCLOSURES
SUBSTANTIAL
INTEREST

The Superintendent shall file an affidavit with the Board President disclosing a substantial interest, as defined by Local Government Code 171.002, in any business or real property that the Superintendent or any of his or her relatives in the first degree may have.

Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee **or any of his or her relatives in the first degree** has a substantial interest, as defined by Local Government Code 171.002, shall file an affidavit with the Superintendent; ~~however, the employee shall not be required to file an affidavit for the substantial interest of a relative.~~

INTEREST IN
PROPERTY

The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.

CONFLICTS
DISCLOSURE
STATEMENT

~~No employee other than the Superintendent shall be required to file the conflicts disclosure statement, **The Superintendent, as required by law, and employees in the following administrative positions: principals, directors and above shall be required to file the conflicts disclosure statement** as promulgated by the Texas Ethics Commission and as specified by Local Government Code 176.003–004–**005**.~~

ANNUAL FINANCIAL
MANAGEMENT
REPORT

The Superintendent, as the executive officer of the District, shall provide to the District in a timely manner information necessary for the District's annual financial management report.

[See BBFA]

GIFTS

An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities. [See CAA]

Any gift, favor, service, or other benefit with a retail value of more than \$25.00, and received by an employee from a vendor or potential vendor, must be reported to the employee's supervisor within 72 business hours of receipt.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

In the event an employee was unaware of a duty to report the gift, favor, service, or other benefit with a retail value of more than \$25.00, the employee shall be required to report the gift, favor, service or other benefit within 7 days of when the employee knew or should have known about the duty to report.

Reporting the potential receipt of any gift, favor, service, or other benefit with a retail value of more than \$25.00 before it is received is strongly preferred.

An employee who has filed a Conflicts Disclosure Statement (Form CIS), shall be required to file a USD Conflict of Interest Disclosure form separately, and in addition to, Form CIS when reporting any gift, favor, service, or other benefit with a retail value of more than \$25.00.

ENDORSEMENTS

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during nonschool hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

SALES

An employee shall not use his or her position with the District to attempt to sell products or services.

NONSCHOOL
EMPLOYMENT

An employee shall disclose in writing to his or her immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

PRIVATE TUTORING

An employee shall disclose in writing to his or her immediate supervisor any private tutoring of District students for pay.



UNITED INDEPENDENT SCHOOL DISTRICT

CONFLICT OF INTEREST DISCLOSURE

1. Do you or someone in your immediate family (as defined by DEC local policy) own a business or have an interest in a business that has a vendor relationship with United Independent School District? Yes ___ No ___

Name of business: _____

Relationship: _____

If yes, please complete the affidavit: disclosure of substantial interest in a business entity. (Exhibit A in DBD policy)

2. Do you or someone in your immediate family (as defined by DEC local policy) have an interest in real property for which it is reasonably foreseeable that the UISD Board's action might have a special economic effect on the value of the property distinguishable from its effect on the public? Yes _____ No _____

If yes, please complete the affidavit: disclosure of substantial interest in a business entity. (Exhibit A in DBD policy)

3. Have you, within the last year, accepted from a vendor **or potential vendor** any gift, favor, service or other benefit with a retail value of more than \$25.00 **at one time (e.g. gift cards, meals, event tickets, golf outings, trips or services)**? Yes ___ No ___

If yes, explain circumstances and disclose name of vendor **or potential vendor** _____

4. If you answered "Yes" to question number 3, did you report the gratuities to your supervisor within 72 hours? Yes ___ No ___ If no, please explain _____

5. **Have you, within the last year, hired any District employee to provide services to you outside of their role as a District employee that would create a potential conflict of interest (as defined by DBD local policy)?** Yes ___ No ___ If no, please explain _____

I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HAVE RECEIVED A COPY OF POLICY DBD-CONFLICT OF INTEREST (LEGAL AND LOCAL) OR AT LEAST HAVE BEEN MADE AWARE OF THE POLICY. I AM AWARE THAT I SHOULD DISCLOSE TO THE SUPERINTENDENT OR DESIGNEE ANY SITUATION THAT INVOLVES A CONFLICT OF INTEREST OR POTENTIAL CONFLICT OF INTEREST THAT MAY ARISE DURING THE YEAR.

Printed Name

Signature

Position

Date

NOTE: Failure to complete this form will prevent the employee from being authorized to initiate and/or approve any purchases within the United Independent School District.

Reviewed by Supervisor

Authorized by Purchasing Director