

## BB 9270 Conflict of Interest

~~Board members shall disclose any financial interest in a contract before the Board and shall refrain from participating in any decision related to a disclosed interest unless authorized to do so by the Board.~~

Note: Alaska Statute 29.20.010 requires each municipality to adopt a conflict of interest code. Alaska Statute 39.50.145 authorizes a municipality to exempt municipal officers from state conflict of interest financial reporting requirements. Accordingly, districts should consult local law to determine if additional conflict of interest requirements must be addressed. The following sample bylaw should be revised as appropriate to reflect district philosophy and needs.

In order to ~~install~~instill public confidence in public office and provide public accountability, School Board members shall disclose and avoid conflicts of interest involving any matter pending before the School Board. A conflict of interest exists when a member ~~is confronted with an issue in which the member~~ has a personal or financial interest ~~or an issue or circumstance~~on a matter coming before the Board that could render the member unable to devote complete loyalty and singleness of purpose to the public interest. School Board members owe the public a duty to act in the best interests of the district.

~~Accordingly:~~

~~1. Decision making. A board member may not participate in deliberating or voting on any decision when it is reasonably possible~~ The Board recognizes that when no conflict of interest requires abstention and/or recusal, its members must vote on issues before the Board. If a board member or ~~a~~their family member may benefit personally or financially from ~~the decision. In such a case, the board~~a Board decision, that board member must provide full disclosure of the conflict or potential conflict of interest to the Board. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting on the issue. If the Board determines a conflict of interest prohibits participation, the member shall recuse themselves and abstain from deliberations and voting ~~and notify the superintendent and Board president of the conflict of interest.~~

~~2. Appearance of impropriety.~~ When a situation may create the appearance of impropriety, even where state and federal laws do not require any action, the board ~~members shall disclose the interest, abstain from voting and avoid the appearance of impropriety. In addition, the board member shall not attempt to influence the decisions of staff or other board members on the issue.~~member shall fully disclose the circumstances. The Board, without that member's participation, will then approve or disapprove of the member's deliberations and voting.

Board members who have an actual or potential conflict of interest requiring disclosure shall not seek to influence the decisions of staff or other board members on the underlying matter, or on the member's participation in the matter.

3. **Other duties.** School Board members are expected to avoid conflicts of interest in their other duties. ~~This covers~~includes:

- a. **Confidential information.** School Board members shall not disclose or use confidential information acquired during the performance of official duties as a means to further their own personal or financial interests or the interests of a family member.
- b. **Gifts.** School Board members shall not accept a gift or economic benefit that would tend to improperly influence a reasonable person or ~~that~~where board members know or should know the gift is primarily offered for the purpose of influencing or rewarding ~~them for~~ official action.
- c. **Business dealings with staff.** School Board members shall not engage in a financial ~~transaction~~transactions for private business purposes ~~that~~with district staff whom board members directly or indirectly supervise.
- d. **Compensation for services.** School Board members shall not receive any compensation for services rendered to the district from any source, except compensation for serving on the School Board and reimbursement of expenses incurred as a board member, as allowed by policy and law.

**Other legal obligations.** School Board members shall comply with state and federal laws pertaining to conflicts of interest. ~~Nothing in this policy restricts or affects board members' duty~~members' duties to comply with those laws.

(cf. 3115 - Relations with Vendors)

(cf. 4112.8 - Employment of Relatives)

(cf. 2300 - Conflict of Interest Code: Designated Personnel)

Legal Reference:

ALASKA STATUTES

14.08.131 Disqualification from voting for conflict of interest

14.14.140 Restriction on employment

11.56.100 - 11.56.130 Bribery and related offenses

29.20.010 Conflict of interest

ADMINISTRATIVE CODE

4 AAC 18.031 Employment of members of immediate families of school board members

4 AAC 18.900 Definitions

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Reviewed 1/05

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**Southeast Island School District**