

Lower Merion School District

Policy No.: 005
Section: LOCAL BOARD PROCEDURES
Title: CONFLICT OF INTEREST – FINANCIAL INTEREST
Date Adopted: 4/19/10
Date Last Revised: 12/04/2020

005 CONFLICT OF INTEREST - FINANCIAL INTEREST

No Board Member (“District representative”) shall engage in conduct that constitutes a conflict of interest. A conflict of interest or potential conflict of interest exists in the event of:

1. Any transaction or arrangement in which a District representative uses any confidential information (information not attainable from reviewing a public document or from making inquiry to a publicly available source of information) obtained by virtue of their office or employment, for the private pecuniary benefit of the District representative, a member of their immediate family, or any business in which the District representative or a member of their immediate family is a director, officer, owner, employee or other material financial interest.
2. Any transaction or arrangement between the District and any entity or individual in which or with which a District representative or a member of their immediate family is an officer or director or has a material financial interest; and/or,
3. Any other transaction or arrangement in which a District representative or a member of his/her immediate family has a material financial interest.

“Immediate family” is defined herein as parent, spouse, child, brother or sister.

A conflict of interest does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of an industry, occupation or other group which includes the District representative, a member of his/her immediate family or a business with which the District representative or a member of the District representative’s immediate family is associated.

A Board Member or a member of their immediate family or any business in which the Board Member or a member of their immediate family is associated may not enter into a contract valued at more than \$500 with the District, unless the contract has been awarded through an open and public process.

Subject to the following exception, in the event any Board Member would be required to vote on a matter that would result in a conflict of interest, the Board Member shall be required to abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of their interest as a public record in a written memorandum filed with the Board Secretary.

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Although a Board Member is generally required to abstain from voting on any matter that would result in a conflict of interest, a Board Member may vote on such a transaction or arrangement if the vote is needed to break a tie or if their vote is needed to make the majority or other legally required vote attainable. In those situations, the Board Member must publicly disclose their interest and may not have any supervisory or overall responsibility for the implementation or administration of the transaction or arrangement.

This policy is intended to supplement, but not replace, any applicable state laws and regulations governing conflicts of interest, including but not limited to relevant provisions of the Pennsylvania Public School Code and the Pennsylvania Public Official and Employees Ethics Law.