

# Purchasing Goods / Services from School District Employees

Welcome to Brookville Local Schools!

The Ohio Ethics' Law and Related Statutes can be found in Ohio Revised Code Chapter 102 in Sections 2921.42 and 2921.43. These laws generally prohibit public officials and employees (which include all school district employees) from misusing their official position for their own personal benefit or the benefit of their family members or business associates. (See attached information sheet from the Ohio Ethics Commission, which goes into detail about the Ethics Law). **The law prohibits a school district employee from selling goods or services to the school district unless he/she can meet a four-part exception contained in the law.** In order for this exception to apply, the employee must show that all four of the following requirements are met:

1. The goods and services are necessary.
2. The goods or services are part of a continuing course of business that was established prior to the employee being hired by the school district or the goods or services are unobtainable elsewhere for the same or lower cost. For the later, the school district must use an objective price comparison and provide adequate notice to the other potential suppliers in a fair and impartial competitive purchasing process.
3. The treatment that the employee provides to the school district is the same as, or better than, the treatment provided to other customers in similar transactions.
4. The employee did not use his/her unique access as a school district employee to secure the transaction, the employee has made the school district fully aware of his/her interest in the transaction, and the employee was not involved in the district's decision-making process.

Please be advised that the School District will not make purchases from school district employees or immediate family members, etc. unless the above four-part exception is met and the transaction is in full compliance with the Ohio Ethics Law. **This must be documented in advance of making a purchase commitment.** If you desire to make a purchase for which a school district employee may be a potential supplier, you must use the following procedures:

1. **Obtain a minimum of 3 written price quotes for the goods/services to be obtained.** The price quotes must be from reputable vendors and be identical in terms of items being quoted. Attach all of the price quotes to the purchase order (Meets #2 of the four-part exception)
2. **The attached certification must be attached to the quote from the school district employee seeking to provide the goods/services.** (Meets #3 and #4 if the four-part exception)
3. **Submit the purchase order to your Principal or Department Head for approval.** (Approval by the Principal/Department Head, the Superintendent, and the Treasurer meets #1 of the four-part exception)
4. **Once you have received the purchase order, you may then proceed with making the purchase commitment.** You are not authorized to commit the school district to make any purchase until it has been properly approved via a school district purchase order.

**The school district employee who is the vendor must explain this process each time he/she is approached about a potential purchase that will utilize district funds.**

If you have any questions you may call the Treasurer's office at (937) 833-5582 and we will be happy to assist you.

Thank You,

Amy Muhlenkamp  
Assistant Treasurer