

Conflict of Interest

A trustee may not:

1. engage in a substantial financial transaction for the trustee=s private business purpose, with a person whom the trustee inspects or supervises in the course of official duties.
2. perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the trustee either has a substantial financial interest or is engaged as counsel, consultant, representative or agent.
3. act as an agent or solicitor in the sale or supply of goods or services to a district.
4. have a pecuniary interest, directly or indirectly, in any contract made by the Board, when the trustee has more than a ten percent (10%) interest in the corporation. A contract does not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments or deposits in financial institutions which are in the business of loaning or receiving money, when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one (1) financial institution in the community; or 3) contracts for professional services other than salaried services or for maintenance or repair services or supplies when the services or supplies are not reasonably available from other sources, if the interest of any Board member and a determination of such lack of availability are entered in the minutes of the Board meeting at which the contract is considered.
5. be employed in any capacity by the District.
6. perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the officer or employee has a substantial personal interest in a competing firm for undertaking.
7. perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the officer or employee either has a substantial financial interest or is engaged as counsel, consultant, representative or agent.
8. appoint to a position of trust or emolument any person related or connected by consanguinity within the fourth (4th) degree or by affinity within the second (2nd) degree.
 - a. This prohibition does not apply to the issuance of an employment contract to a person as a substitute teacher who is not employed as a substitute teacher for more than thirty (30) consecutive school days.
 - b. This prohibition does not apply to the renewal of an employment contract of a

person who was initially hired before the Board member to whom he/she is related assumed the position.

- c. This prohibition does not apply if the trustees comply with the following requirements: 1) All trustees, except the trustee related to the person to be employed or appointed, vote to employ the related person; 2) the trustee related to the person to be employed abstains from voting; and 3) the trustees give fifteen (15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Degrees of Affinity

Affinity is the legal relationship arising as the result of marriage. Relationship by affinity terminates upon the death of one of the spouses or other dissolution of marriage, except when the marriage has resulted in issue still living.

Degrees of Consanguinity

			4 Great Great Grandparent		
		3 Great Grandparent		5 Great Great Uncle	
	2 Grandparent		4 Great Uncle		6 Child of Great Uncle
1 Parent		3 Uncle		5 Child of GG Uncle	7 Child of GG Uncle
					8 Grandchild of GG Uncle
Appointing Power					
	2 Brother		4 1 st Cousin	6 2 nd Cousin	8 3 rd Cousin
		3 Nephew		5 1 st Cousin once removed	7 2 nd Cousin once removed
1 Child					
	2 Grandchild		4 Grand Nephew	6 1 st Cousin twice removed	
		3 Great Grandchild	5 Great Grand Nephew		
			4 Great Great Grandchild		

Degrees of Affinity

				3 Great Grandfather-in-law
			2 Grandfather-in-law	
	1 Father-in-law			3 Uncle-in-law
Spouse of Appointing Power			2 Brother-in-law	
				3 Nephew-in-law
	1 Step Child			
			2 Step Grandchild	
				3 Step Great Grandchild

Cross Reference: 1425 Abstentions from Voting
1511 Code of Ethics for School Board Members

Legal Reference: ' 2-2-302, MCA Appointment of relative to office of trust or
emolument unlawful B exceptions B publication of
notice

Policy History:

Adopted on: June 28, 2004

Revised on: October 14, 2019