

EMPLOYING BOARD MEMBERS

It shall be the policy of the District to respect and adhere to the case law and Attorney General opinions that restricts the ability of board members from being/becoming employees of a school district in which they serve on the board. District employees who run for seats on the Board and are elected, must choose between employment and board service.

The Board recognizes that there are circumstances that may require allowing a current board member to fill an open classified position with the District when such position is not incompatible with the individual's board service. Whether a particular classified position is incompatible with board service depends on specific circumstances and shall be determined by the board. The Board further recognizes that such circumstances are limited and should be avoided to the extent reasonably possible. Under no circumstances, may the board hire a board member to be employed as a teacher, administrator, or other contracted/certified position.

Administration shall use every means available to fill open classified positions from other sources, but when unable to do so, administration must seek approval from the Board to fill the position with a qualified board member. The remaining members of the Board shall determine if the position is compatible with board service and if so, must approve any such hiring by 2/3rds majority vote.

A board member who is employed in accordance with this policy must adhere to all conflict of interest laws. In the event a board member's employment with the District becomes incompatible with board service during the scope of employment, the board member must choose between continued employment and board service. If administration notifies the Board that they have identified another individual who is qualified for an employment position being occupied by a board member, the board member must, at the request of the Board, choose between continued employment and board service.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- BAB, Conflict of Interest

End of Yellowstone Policy BAA Adopted: 3/16/20