

# Conflicts of Interest

## A Guide to Changes in Policy 5251



Effective March 1, 2018 – Bellevue School District Human Resources Department

# Background

- The original policy was adopted in 2012.
- At the time, the policy was not widely distributed nor completely understood.
- Between 2012 and 2017, several instances of conflict of interest issues arose, causing the Board of Directors to begin making revisions through its policy committee.
- In June, 2017, the Board adopted the revised policy, providing direction for implementation for the 2017-2018 school year.
- Effects of the policy require allowing the implementation of the changes to be bargained by employee unions should they request.

# Key Aspects of the Policy

- **A Conflict of Interest is defined as** a situation in which a district employee receives, attempts to receive, or promotes a personal benefit to himself/herself directly, or indirectly, or to some other person(s), which results, or appears to result, in an improper gain or an improper advantage by virtue of his/her position in the District.

A. Receiving economic benefit from selling or promoting the sale of goods, services, programs, or activities to students, family members of students in the District, or employees where the knowledge of the staff member's relationship to the District is in *any way* utilized to influence the sale.

# Key Aspects of the Policy – (2)

- B. Receiving economic benefit from the sale of instructional and training materials and/or equipment where the district has specifically engaged a staff member(s) to develop such materials or equipment. In such instances, the District will retain a proprietary interest.
- C. Encouraging a student who is enrolled in one or more of the staff member's classes, activities or programs to take private lessons or to engage in tutoring, coaching or training for fee from the staff member.
- D. Using or providing for others a list of names and home addresses obtained from school records or school-related contacts for purposes of identifying potential client or customer contacts, or providing a staff or student directory for use in promoting sales of a product or service.

# Key Aspects of the Policy (3)

E. Participating in any way in the selection process for materials, books or equipment when (a) an item developed by or authored by the staff member or a member of his/her family is under consideration for approval for district use; or (b) the staff member is in any way affiliated with the provider of the material, book(s) equipment or services.

F. Being involved in the selection of an applicant or in the appointment, evaluation or supervision of any other staff member who is a family member.

G. Using the interschool mail, email or other form of District resource or asset, including District-operated website or District-operated social media tools to promote the sale of goods, services, programs, or other activities in which a staff member or someone close to the staff member has an economic, personal or private interest.



# Key Aspects of the Policy (4)

H. Purchasing or otherwise acquiring surplus District property in violation of state law, or where the staff member was involved in or had influence in the process of declaring the item(s) as surplus.

I. Receipt by a staff member or the staff member's office of any benefit, directly or indirectly, in connection with any contract which may be made by, through, or under the direct or indirect supervision of the staff member in whole or in part; or accepting, directly or indirectly, any compensation, gift, gratuity, or reward in connection with such a contract from any other person beneficially interested therein.

# Duty to Disclose Potential Conflict of Interest

- Intent is to provide guidance and mitigate or remedy a conflict of interest before issues or problems arise.
- Disclosure provides the opportunity for the employee and supervisor to work together to address any potential issues, including mitigation.
- Human Resources is the final review of a potential conflict of interest

# Examples of Situations that may Require Disclosure

- Outside employment such as working at summer camps, consulting, tutoring, coaching or training, providing private lessons or instruction, providing general services, conducting test preparation, and college and career counseling;
- Relation to another employee;
- Relation to another employee, parent, organization or community member perceived as providing a personal or private benefit;
- Participating in any way in the selection process for materials, books, etc. where there is a perceived private or personal benefit;
- Being involved in the selection process of an employee who is a family member;
- Using interschool mail or other resources, including electronic and social media to promote the sales of goods, services, programs, or other activities that are perceived as providing a private or personal benefit;
- Purchasing or otherwise acquiring surplus District property and having influence in the process of declaring the item surplus;
- Receiving a direct or indirect benefit in connection with any contract made by the District where the staff member is perceived to have a personal or private benefit.



# Compliance Officer

- Designated by the Superintendent
- Assistant Superintendent of Human Resources (Jeff Thomas)
- Reviews Potential Conflicts of Interest
- Works with the employee, supervisor and Union to address situations where mitigation or other steps may be required
- Responsible for implementation of the policy, includes training as required

# Exhibit 5251 – Disclosure Form

## Declaration of Potential Conflict of Interest

Section 1 – To be completed by the employee

Employee Name: Ima N. Employee Employee ID #: 12345

Primary Work Location: My Favorite BSD School

Employee Date of Hire: 08/23/2008 Employee Position(s): Para III

I have a potential conflict of interest as indicated below by checking all that apply:

1. \_\_\_\_\_ **Outside employment by an entity other than the Bellevue School District for direct or indirect compensation or benefit to the District employee that might lead to a potential conflict of interest with your BSD employment, such as:**

\_\_\_\_\_ **X** Working for summer camps

\_\_\_\_\_ Working for camps during the school year

\_\_\_\_\_ Tutoring

\_\_\_\_\_ Consulting

\_\_\_\_\_ Coaching or training

\_\_\_\_\_ Private lessons or instruction

\_\_\_\_\_ Test Preparation

\_\_\_\_\_ College and career counseling

\_\_\_\_\_ **X** In home care, child care

\_\_\_\_\_ Professional Driving

\_\_\_\_\_ Book Keeping

\_\_\_\_\_ Catering

2. **X** **Relation to another employee in the District as a family member**

Family member name: **Heisan Employee**

Family member relation to employee: **Spouse**

Family member primary work location: **My Favorite BSD Support Facility**

Family member position with the District: **Bus Driver**

3. **X** **Relation to another employee, parent, organization or community member that is perceived as providing special benefit**

Individual or organization's name: **K. I. D. Employee**

Describe the relationship as it relates to the individual or organization: **Daughter**

\_\_\_\_\_

**Ima N. Employee** **2/28/2018**

**Employee Signature**

**Date**

**Section 2 – To be completed by the supervisor**

Date of Review: \_\_\_\_\_

I have reviewed the potential conflict of interest with the employee and have determined:

  X   I do not identify a potential of conflict of interest and submit this form to Human Resources for confirmation.

\_\_\_\_\_ I have insufficient information to identify a potential conflict of interest and submit this form to Human Resources for its determination.

\_\_\_\_\_ I identify a potential conflict of interest and submit this form to the Human Resources Compliance Officer for review and confirmation that the identified steps below will mitigate or eliminate the potential conflict of interest.

Please describe the action steps taken to mitigate/eliminate to potential conflict of interest along with any additional documentation or information.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I identify a potential conflict of interest that I believe cannot be mitigated or eliminated and submit this form to Human Resources for confirmation.

Sue Pervizer

**Supervisor Signature**

2/28/2018

**Date**



**Section 3 – To be completed by Human Resources Compliance Officer or Designee**

Date of Review: \_\_\_\_\_

I have reviewed the potential conflict of interest with the employee and have determined:

\_\_\_\_\_ I do not identify a potential of conflict of interest.

\_\_\_\_\_ I have insufficient information to identify a potential conflict of interest and will investigate further.

X I identify a potential conflict of interest and that the identified steps below will mitigate or eliminate the potential conflict of interest.

Please describe the action steps taken to mitigate/eliminate to potential conflict of interest along with any additional documentation or information.

Ms. Employee understands that she cannot utilize school resources for soliciting work for outside employment. Should others approach Ms. Employee, she understands that she is free to respond outside of regular work ours and independent of school resources. No issues identified by relationship to other employee or regarding daughter.

\_\_\_\_\_ I identify a potential conflict of interest that cannot be mitigated or eliminated. I have provided direction for the employee below, and followed up with communication with the employee:

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Jeffrey J. Thomas

**Compliance Officer Signature**

03/01/2018

**Date**

# Questions?

# Thank You!