

## **POLICY – CONFLICTS OF INTEREST (Districts with 2,000 or more students) 1610**

### **BENEFICIAL INTEREST IN CONTRACTS**

No Director, Superintendent or Assistant Superintendent (“Officers”) may benefit, directly or indirectly, from any contract made by, through or under the supervision of the Officer, except as provided below:

- A. Any contract, purchase of materials, or activity paid for from school funds if the total volume received by the Officer or his or her business does not exceed \$1500.00 in any calendar month. Board approval is required prior to the awarding of any such contract, purchase or activity. The District shall maintain a list of all contracts covered under the paragraph and the list shall be available for public inspection and copying.
- B. A director may be designated as clerk and/or purchasing agent of a district.
- C. The spouse or dependent of an Officer may be employed as a substitute teacher on the same terms and at the same compensation as other substitute teachers in the District. The Board of Directors must find that the number of qualified substitute teachers in the District is insufficient to meet the anticipated needs for short-term and one-day substitute teachers and must ensure that substitute teachers are assigned to available positions in a fair and impartial manner.
- D. If a person is employed by the District under contract as a classified or certificated employee before his or her spouse becomes an Officer, the contract can be renewed for further employment, provided that the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the District for that position. If an Officer assumed office or his position before his or her spouse applies for employment with the District, this exception does not apply.
- E. The Officer has only a remote interest (as defined by RCW 42.23.040) in a contract, provided that the Officer does nothing to influence or attempt to influence any other Officer to enter into the contract.

An Officer may not vote on the authorization, approval or ratification of any contract in which he or she is beneficially interested even when one of the exceptions described above applies. The interest of the Officer must be disclosed to the Board of Directors and noted in the official minutes of the District before the formation of the contract.

Whenever an Officer, or his or her spouse or dependent is employed by the District, the Officer shall refrain from participating in or attempting to influence any Board action affecting the employment status of the Officer, spouse or dependent. Actions affecting employment status include, but are not limited to, hiring, establishing compensation and fringe benefits, setting working conditions, conducting performance evaluation, considering or imposing discipline and termination. An Officer shall not be involved in the selection of an applicant or in

the appointment, evaluation or supervision of any other employee who is a family member or resident of the same household.

The Superintendent or designee will maintain a log of any contract subject to this policy and annually or when a new Director assumes office, will inform the Board of the existence of all such contracts.

For the purposes of this policy, a dependent is defined as a person who can be claimed as a dependent for IRS purposes according to current and future regulations.

For the purposes of this policy, a spouse also includes domestic partners.

**PROHIBITED ACTS**

Certain acts are prohibited for Officers:

- Using his/her position to secure special privileges or exemptions for himself, herself, or others;
- Directly or indirectly giving or receiving or agreeing to give or receive any compensation, gift, reward, or gratuity from a source other than the District for a matter connected with the or related to the Officer’s services to the District except as provided by law;
- Accepting employment or engaging in business or professional activity that the Officer might reasonably expect would require or induce him/her by reason of his/her official position to disclose confidential information acquired by reason of his /her official position; and.
- Disclosing confidential information gained by reason of the Officer’s position or using such confidential information for his/her personal gain or benefit.

Legal References: RCW

28A.405.250	Certificated employees, applicants for certificated position, not to be discriminated against
28A.635.050	Certain Corrupt Practices of School Officials-Penalty
42.23.030	Interests in Contracts Prohibited— Except Cases
43.23.040	Remote Interests
42.23.070	Prohibited Acts

Adopted:	November 18, 1985	NTSD Board of Directors
Amended:	May 7, 2007	NTPS Board of Directors
Reviewed:	October 20, 2009	
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Amended:	February 13, 2018	
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