

CURRENT SUSD POLICY

GBEAA © STAFF CONFLICT OF INTEREST

~~Employment of Close Relatives~~

~~No person employed by the District may be directly supervised by a close relative (father, mother, son, daughter, sister, brother, or spouse). This policy will apply for summer or part time work as well as for full time employment.~~

~~A dependent of a Board member (a person more than half of whose support is obtained from a Board member) cannot be hired in the District except by consent of the Board. The spouse of a Board member cannot be employed by the District.~~

Any employee found to have violated this Policy is subject to discipline, up to and including termination.

Business Relations Conflict of Interest

Any employee or officer who has, or whose relative has, a substantial interest in any decision of the District shall make known this interest in the official records of the District, and shall refrain from participating in any manner as an employee in such a decision.

Definitions

For purposes of this Policy:

"Make known" means the filing of a paper which is signed by a public officer or employee and which fully discloses a substantial interest or the filing of a copy of the official minutes of a public agency which fully discloses a substantial interest. The filing shall be in the special file established pursuant to § 38-509. In the Scottsdale Unified School District, this paper shall be submitted to the Legal Department and the Human Resources Department, in the form of Exhibit GBEAA-E.

"Refrain from participating in any manner" means more than just refraining from making a final decision. It means participating in any way

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in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

“Relative” means the spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse.

“Remote interest” means:

(a) That of a nonsalaried officer of a nonprofit corporation.

(b) That of a landlord or tenant of the contracting party.

(c) That of an attorney of a contracting party.

(d) That of a member of a nonprofit cooperative marketing association.

(e) The ownership of less than three percent of the shares of a corporation for profit, provided the total annual income from dividends, including the value of stock dividends, from the corporation does not exceed five percent of the total annual income of such officer or employee and any other payments made to him by the corporation do not exceed five percent of his total annual income.

(f) That of a public officer or employee in being reimbursed for his actual and necessary expenses incurred in the performance of official duty.

(g) That of a recipient of public services generally provided by the incorporated city or town, political subdivision or state department, commission, agency, body or board of which he is a public officer or employee, on the same terms and conditions as if he were not an officer or employee.

(h) That of a public school board member when the relative involved is not a dependent, as defined in § 43-1001, or a spouse.

(i) That of a public officer or employee, or that of a relative of a public officer or employee, unless the contract or decision involved would confer a direct economic benefit or detriment on the officer, the employee or his relative, of any of the following:

(i) Another political subdivision.

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(ii) A public agency of another political subdivision.

(iii) A public agency except if it is the same governmental entity.

(j) That of a member of a trade, business, occupation, profession or class of persons consisting of at least ten members which is no greater than the interest of the other members of that trade, business, occupation, profession or class of persons.

(k) That of a relative who is an employee of any business entity or governmental entity that employs at least twenty-five employees within this state and who, in the capacity as an employee, does not assert control or decision-making authority over the entity's management or budget decisions.

(l) The ownership of any publicly traded investments that are held in an account or fund, including a mutual fund, that is managed by one or more qualified investment professionals who are not employed or controlled by the officer or employee and that the officer or employee owns shares or interest together with other investors.

"Substantial interest" means any nonspeculative pecuniary or proprietary interest, either direct or indirect, other than a remote interest.

"Gift or benefit" means a payment, distribution, expenditure, advance, deposit or donation of monies, any intangible personal property or any kind of tangible personal or real property. "Gift or benefit" does not include either:

(a) food or beverage, or

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(b) expenses or sponsorships relating to a special event or function to which individuals are invited.

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Conflict of Interest Disclosure Requirements

1. Each and every employee and officer of the District must file a Conflict of Interest Disclosure, in the form of SUSD Governing Board Policy Exhibit GBAAA-E, at least annually, and must attest either that the

employee or officer has no conflict or alternatively must identify any existing conflict the employee or officer has.

2. In addition to annual disclosure, it is the responsibility of each and every employee or officer to notify, update and submit to the District's Legal Department and Human Resources Department within fifteen (15) calendar days of any new conflict arising.

Failure to comply with these conflict of interest disclosure requirements may result in discipline, up to and including termination of employment.

Vendor Relations

No employee of the District will accept gifts or benefits from any person, group, or entity doing, or desiring to do, business with the District. The acceptance of any business-related gratuity, gift or benefit is specifically prohibited, except for widely distributed, advertising items of nominal value.

This policy should not be construed to deem unacceptable inexpensive novelty advertising items of general distribution, such as greeting cards, T-shirts, mugs or pens. Acceptance of business ~~lunches-meals~~ and holiday gifts for general consumption are acceptable under this policy.

Employment of Close Relatives

No person employed by the District may be directly supervised by a close relative (spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse, ~~father, mother, son, daughter, sister, brother, or spouse~~). This policy will apply for summer or part-time work as well as for full-time employment.

A dependent of a Board member (a person more than half of whose support is obtained from a Board member) cannot be hired in the District except by consent of the Board. The spouse of a Board member cannot be employed by the District.

Adopted: date of manual adoption

LEGAL
A.R.S.

REF.:

[15-213](#)

[15-323](#)

[15-421](#)

[15-502](#)

[38-481](#)

[38-501](#) *et*

[38-503](#)

seq.

[38-504](#)

[41-2616](#)

[44-1407](#)

[Ariz. Att'y Gen. Op. 103-005. See also Ariz. Att'y Gen. Op. 183-111](#)

CROSS

REF.:

[BCB](#) - Board Member Conflict of Interest