

1 **Great Falls School District**

2
3 **THE BOARD OF TRUSTEES**

1512

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5 Conflict of Interest

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7 A Trustee may not:

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9 1. Engage in a substantial financial transaction for the Trustee’s private business
10 purpose with a person whom the Trustee inspects or supervises in the course of
11 official duties.
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13 2. Perform an official act directly and substantially affecting, to its economic benefit,
14 a business or other undertaking in which the Trustee either has a substantial
15 financial interest or is engaged as counsel, consultant, representative or agent;
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17 3. Act as an agent or solicitor in the sale or supply of goods or services to a district.
18
19 4. Have a pecuniary interest, directly or indirectly, in any contract made by the
20 Board, when the Trustee has more than a ten percent (10%) interest in the
21 corporation or other entity with which the District contracts. A contract does not
22 include: 1) merchandise sold to the highest bidder at public auctions; 2)
23 investments or deposits in financial institutions which are in the business of
24 loaning or receiving money, when such investments or deposits are made on a
25 rotating or ratable basis among financial institutions in the community or when
26 there is only one financial institution in the community; or 3) contracts for
27 professional services other than salaried services or for maintenance or repair
28 services or supplies when the services or supplies are not reasonably available
29 from other sources, if the interest of any Board member and a determination of
30 such lack of availability are entered in the minutes of the Board meeting at which
31 the contract is considered.
32
33 5. Be employed in any capacity by the District, with the exception of officiating at
34 athletic competitions under the auspices of the Montana Officials Association.
35
36 6. Perform an official act directly and substantially affecting a business or other
37 undertaking to its economic detriment or benefit when the Trustee has a
38 substantial personal interest in a competing firm or undertaking, or is engaged as
39 counsel, consultant, representative, or agent.
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41 7. Appoint to or renew a position of trust or emolument any person related or
42 connected by consanguinity within the fourth (4th) degree or by affinity within the
43 second (2nd) degree.
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45 a. This prohibition does not apply to the issuance of an employment contract
46 to a person as a substitute teacher who is not employed as a substitute
47 teacher for more than thirty (30) consecutive school days.

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- b. This prohibition does not apply to the renewal of an employment contract of a tenured teacher or classified employee employed without a written contract for a specific term 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 Trustee complies 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 Trustee 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.

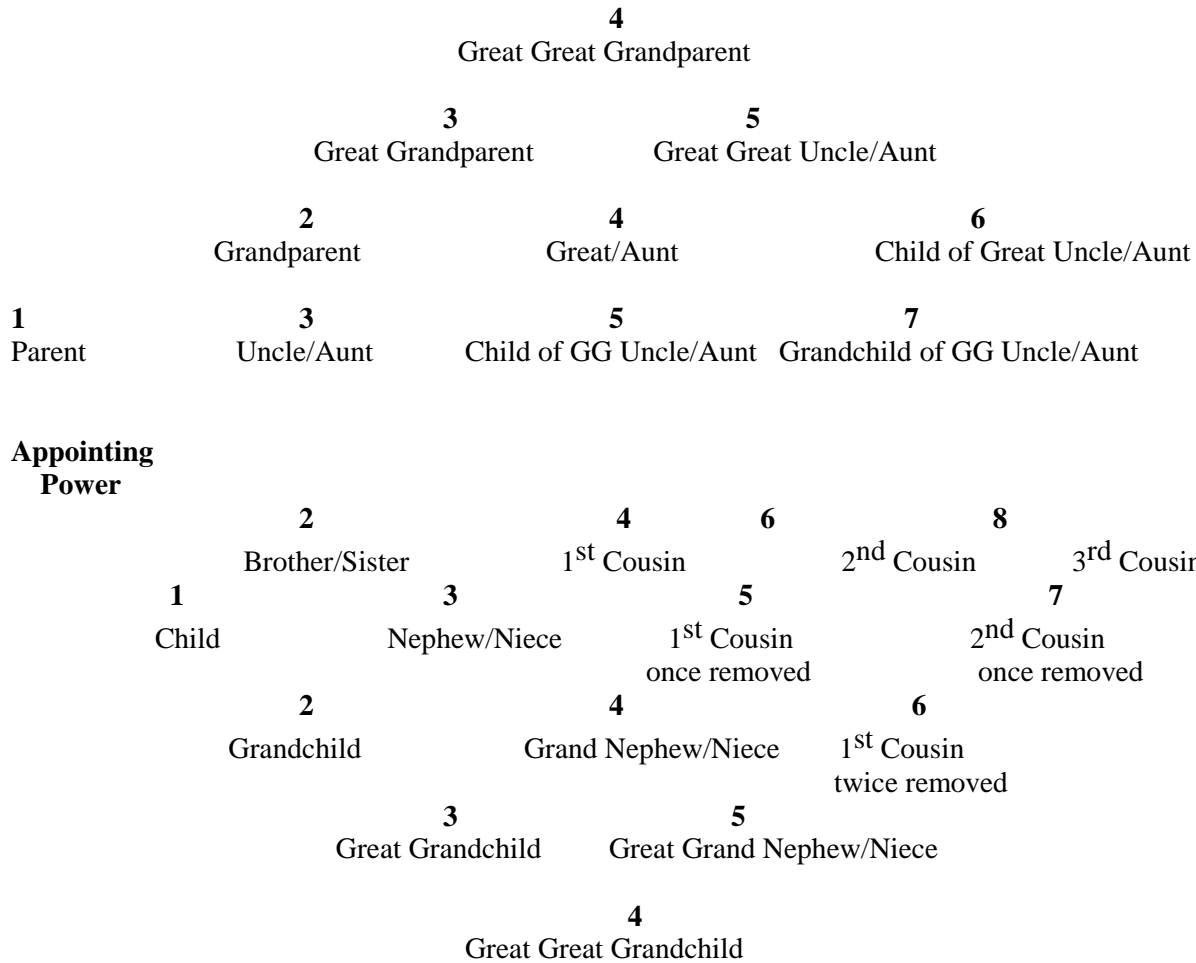
Degrees of Affinity

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

Degrees of Affinity

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|---|--|---|---|
| | | 3 | |
| | | Great Grandparent-in-law or Step Great Grandparent | |
| | | 2 | |
| | | Grandparent-in-law or Step Grandparent | |
| | 1 | | 3 |
| | Father/Mother-in-law or Step Parent | | Uncle/Aunt-in-law or Step Uncle/Aunt |
| Spouse of Appointing Power | | 2 | |
| | | Brother/Sister-in-law or Step Sibling | |
| | 1 | | 3 |
| | Step Child or Son/Daughter-in-law | | Nephew/Niece-in-law or Step Nephew/Niece |
| | | 2 | |
| | | Step Grandchild or Grandchild-in-law | |
| | | | 3 |
| | | | Step Great Grandchild or Great Grandchild-in-law |

1 Degrees of Consanguinity



34 Cross Reference:

35 Policy 1425 Abstentions From Voting

37 Legal References:

- 38 § 20-9-204, MCA Conflicts Of Interests, Letting Contracts, And Calling For Bids – Exceptions
- 39 § 20-1-201, MCA School Officers Not To Act As Agents
- 40 § 20-3-302, MCA Legislative Intent To Elect Less Than Majority Of Trustees
- 41 § 2-2-103, MCA Public Trust – Public Duty
- 42 § 2-2-104, MCA Rules of Conduct For Public Officers, Legislators And Public Employees
- 43 § 2-2-105, MCA Ethical Requirements For Public Officers And Public Employees
- 44 § 2-2-121, MCA Rules Of Conduct For Public Officers And Public Employees

46 Policy History:

- 47 Adopted on: July 1, 2000
- 48 Revised on: June 10, 2019
- 49 Revised on: November 25, 2019