

Governing Board

Governing Board Member Conflict of Interest

No Governing Board member shall: (1) have a beneficial interest directly or indirectly in any contract, work or business of the District unless permitted by State or federal law; or (2) solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts with the District. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board Policy 2:105, *Ethics and Gift Ban*.

In the event a Governing Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the District, the Governing Board member shall declare his/her interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Governing Board member is an employee of the firm. The policy is designed to prevent placing a Governing Board member in a position where his/her interest in the District and his/her interest in the place of employment (or other indirect interest) might conflict and to avoid appearances of conflict of interest even though such may not exist.

Board members must annually file a "Statement of Economic Interests" as required by the Illinois Governmental Ethics Act. Each Board member is responsible for filing the statement with the county clerk of the county in which the District's principal office is located by May 1.

Federal and State Grant Awards

No Board member shall participate in the selection, award, or administration of a contract supported by a federal award or State award governed by Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) if he or she has a real or apparent conflict of interest. A conflict of interest arises when a Board member or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract.

1. A member of the Board member's immediate family;
2. The Board member's partner, or
3. An entity that employs or is about to employ the Board member or one of the individuals listed in one or two above.

LEGAL REF.: 105 ILCS 5/10-9.
5 ILCS 420/, Ill. Governmental Ethics Act.
30 ILCS 708/, Grant Accountability and Transparency Act.
50 ILCS 105/3, Public Officer Prohibited Activities Act.
2 C.F.R. §200.318(c)(1).

CROSS REF.: 2:105 (Ethics and Gift Ban), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest)

ADOPTED: August 25, 2004

REVIEWED: June 3, 2020; January 26, 2023

REVISED: June 8, 2011; January 25, 2018; June 3, 2020; January 26, 2023

EB Policy: 2:101