

Cache County School District Policy Series 1000: Board of Education

Policy No. 1175

Board of Education Conflict of Interest

The Board of Education is committed to ethical governance, transparency, and public trust. This policy is adopted pursuant to Utah Code Title 67, Chapter 16, Utah Code § 20A-11-1604, and related provisions of state law and applies to all members of the Board of Education.

Use and Disclosure of Nonpublic Information

In accordance with Utah Code §§ 67-16-4 and 67-16-5, Board members shall not:

1. Accept employment or engage in any business or professional activity that the member reasonably expects would require or induce the improper disclosure or use of nonpublic information obtained by reason of Board service.
2. Disclose or use controlled, private, or protected information— as defined by applicable law, including the Government Records Access and Management Act (GRAMA)— acquired through Board service for personal gain or for the benefit of another.
3. Use or attempt to use the member's position on the Board to secure unwarranted privileges, exemptions, or economic benefits for the member or others.
4. Accept outside employment or compensation that:
 - a. Impairs or reasonably appears to impair the member's independence of judgment; or
 - b. Interferes with the ethical and effective performance of the member's official duties.

Gifts, Compensation, and Loans

Consistent with Utah Code § 67-16-5, no Board member shall knowingly solicit or accept, directly or indirectly, any gift, compensation, or loan if a reasonable person would conclude that the gift, compensation, or loan is intended to influence the member in the performance of official duties or is offered as a reward for official action.

This prohibition applies when the Board member:

1. Is currently involved in, or reasonably expects to be involved in, a governmental action directly affecting the donor or lender; or
2. Knows or should know that the gift, compensation, or loan is offered because of the member's position on the Board.

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Exceptions

This section does not apply to:

1. An occasional non-pecuniary gift with an aggregate value not exceeding \$50 in a calendar year from the same source;
2. An award publicly presented in recognition of public service.
3. A bona fide loan made in the ordinary course of business by a financial institution authorized to operate in this or another state; or
4. A political campaign contribution that is lawfully made and actually used in the recipient Board member's political campaign.

Compensation for Assistance in Transactions Involving a Government Agency

For purposes of this section, a "government agency" includes any department, division, agency, commission, board, council, committee, authority, or political subdivision of the State, including the District and the Board of Education.

In accordance with Utah Code § 67-16-6, a Board member shall not receive or agree to receive compensation for assisting any person or business entity in a transaction involving a government agency unless permitted by law and properly disclosed.

If permitted, the Board member shall file a sworn written disclosure with the Board President and the Superintendent on or before the earlier of:

1. Ten (10) days after entering into an agreement to provide the assistance, or
2. Ten (10) days after receiving compensation.

The disclosure shall include:

1. The name and address of the Board member;
2. The name of the District;
3. The name and address of the person or business entity being assisted;
4. A brief description of the transaction and the nature of the services provided or to be provided.

The Superintendent shall post the disclosure on the District's website and ensure it remains posted for the duration of the Board member's term of office.

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Annual Conflict of Interest Disclosure

Unless a Board member is required to file a conflict of interest disclosure under another statutory provision due to holding a separate public office, each Board member shall submit an annual written conflict of interest disclosure statement to the Superintendent between January 1 and January 31 of each year the member serves on the Board.

The disclosure shall include all information required by Utah Code § 20A-11-1604(6).

Posting and Reporting

1. The Superintendent shall post an electronic copy of the disclosure on the District's website within 10 business days of receipt and provide the Office of the Lieutenant Governor with a link to the posting.
2. The disclosure shall remain posted until the Board member leaves office.
3. If a Board member files a disclosure through another governmental entity, the Superintendent shall post a link to that disclosure on the District's website and provide the link to the Lieutenant Governor.
4. If the Board member or the member's spouse qualifies as an at-risk government employee under Utah Code § 63G-2-303, and the Board member requests redaction, the Superintendent shall redact protected information prior to posting.

Compliance and Enforcement

If the Superintendent determines that a Board member has failed to timely submit a required disclosure or that a submitted disclosure does not meet statutory requirements, the Superintendent shall notify the Board member in writing within five (5) business days and direct the member to submit or amend the disclosure.

If the Board member fails to comply within seven (7) days of notice:

1. The Superintendent shall report the violation to the Utah Attorney General; and
2. A civil fine of \$100 shall be imposed as required by law.

Any fine collected shall be deposited into the District's general fund as a dedicated credit to offset costs associated with administering the disclosure requirement.



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Relationship to Law

This policy shall be interpreted and applied consistently with applicable state and federal law. In the event of a conflict between this policy and statute, the statute shall control.

Legal References

Utah Code § 20A-11-1604(6-7) (2025)

Utah Code § 63G-2-303(1)(a) (2025)

Utah Code § 67-16-(3-6) (2025)

Utah Code § 67-16-16(1-3) (2024)

Approved by the Board of Education: February 19, 2026