

Cache County School District

Policy Series 5000: Personnel

Policy No. 5305

Employee Conflict of Interest

The District is committed to ethical conduct, public trust, and compliance with applicable law. This policy is adopted pursuant to Utah Code Title 67, Chapter 16, and applies to all District employees.

Holding Public Office

District employees may not serve as members of the District Board of Education.

District employees may serve as elected or appointed members of the governing bodies of other school districts (other than the district in which they are employed), cities, towns, counties, or other local governmental entities, provided that such service does not:

1. Create a conflict of interest under Utah law; or
2. Interfere with the employee's ability to perform District duties effectively and impartially.

Financial Interests in District Purchases

No District employee shall sell, solicit, or otherwise receive compensation, directly or indirectly, from the District in connection with the purchase, lease, or acquisition of school furniture, supplies, equipment, or services.

This prohibition includes transactions involving any business in which the employee or an immediate family member has a substantial financial interest, as defined by Utah Code § 67-16-3.

Use and Disclosure of Nonpublic Information

District employees shall comply with Utah Code §§ 67-16-4 and 67-16-5 and shall not:

1. Accept outside employment or engage in any business or professional activity that the employee reasonably expects would require or induce the improper disclosure or use of nonpublic information obtained through District employment.
2. Disclose or use controlled, private, or protected information, as defined by applicable law, including GRAMA, acquired by reason of the employee's official position or duties for personal gain or the benefit of another.

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3. Use or attempt to use the employee's position with the District to secure unwarranted privileges, exemptions, or economic benefits for the employee or others.
4. Accept outside employment or compensation that:
 - a. Impairs or reasonably appears to impair the employee's independent judgment; or
 - b. Interferes with the ethical and effective performance of the employee's District duties.

Gifts, Compensation, and Loans

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

This prohibition applies when the employee:

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 employee's official position.

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 conduct business in this or another state;
4. A political campaign contribution that is lawfully made and actually used in a political campaign.

Compensation for Assistance in Transactions Involving a Government Agency

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

A District employee shall not receive or agree to receive compensation for assisting any person or business entity in a transaction involving a government agency if the transaction relates to the

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employee's official duties or otherwise creates a conflict of interest prohibited by Utah Code § 67-16-6.

If permitted by law, and prior to engaging in such assistance, the employee shall disclose the activity in writing to the Superintendent or designee. The disclosure shall include:

1. The employee's name and position;
2. The identity of the person or entity being assisted;
3. A brief description of the transaction and the nature of the assistance; and
4. The nature and amount of compensation.

Disclosure, Enforcement, and Discipline

Employees shall promptly disclose any actual or potential conflict of interest to their supervisor or the Superintendent.

A violation of this policy may result in disciplinary action, up to and including termination of employment, and may be referred to appropriate enforcement authorities as required by law. Retaliation against an employee who reports a concern in good faith is prohibited.

Relationship to Law

This policy shall be interpreted and applied consistently with Utah Code Title 67, Chapter 16, and other applicable state and federal law. In the event of a conflict between this policy and applicable law, the law shall control.

Legal References

Utah Code § 20A-14-202(4) (2022)

Utah Code § 67-16-4 (2018)

Utah Code § 67-16-5 (2014)

Utah Code § 67-16-3(1) (2024)

Utah Code § 67-16-6 (2024)

Approved by the Board of Education: February 19, 2026