Board Policy 1610: Trustee Conflict of Interest

Status: ADOPTED

Original Adopted Date: 03/01/2022 | Last Reviewed Date: 03/01/2022

A Trustee may not:

1. Use the Trustee's official power to further the Trustee's own interests;

2. Have a pecuniary interest directly or indirectly, except a remote interest, in any contract or other transaction pertaining to the maintenance or conduct of the School District. A "remote interest" means:

    A. The Trustee is a non-salaried employee of a nonprofit corporation; or

    B. The Trustee is an employee or agent of a contracting party where the compensation of the Trustee as an employee or agent consists entirely of fixed wages or salary; or

    C. The Trustee is a landlord or tenant of a contracting party; or

    D. The Trustee is a holder of less than one percent of the shares of a corporation or cooperative contracting party;

    and the Trustee discloses such remote interest to the Board of Trustees. The Trustee may not, under any circumstances, be employed by the District;

3. Accept any reward or compensation for services rendered as a Trustee except as expressly provided by law;

4. Accept and award contracts involving the School District with businesses in which a Trustee or person related to him or her by blood or marriage within the second degree has a direct or indirect interest except when the procedures set forth in I.C. §§ 18-1361 or 18-1361A are followed;

5. Be involved in the employment of a relative related by affinity or consanguinity within the second degree. The Trustee shall be absent from the meeting while such employment is being considered and/or determined;

6. Employ the spouse of a Trustee when such employment requires or will require the payment or delivery of any School District funds, money, or property to such spouse except when the procedures set forth in I. C. § 33-507(3) are followed as outlined in Policy 1615;

7. Enter into a contract in the Trustee's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;

8. Be a purchaser or vendor at any sale or purchase made by the Trustee in the Trustee's official capacity;

9. **Use public funds or property to obtain a pecuniary benefit for himself or herself;**

10. **Solicit, accept, or receive a pecuniary benefit as payment for services, advice, assistance, or conduct customarily exercised in the course of the Trustee's official business;**

11. **Use or disclose confidential information gained in the course of or by reason of the Trustee's official position or activities in any manner with the intent to obtain a pecuniary benefit for the Trustee or any other person or entity in whose welfare the Trustee is interested or with the intent to harm the District;**

12. **Appoint or vote for the appointment of any person related to him or her by blood or marriage within the second degree to any clerkship, office, position, employment, or duty, when the salary, wages, pay, or compensation of such appointee is to be paid out of public funds or fees of office; or appoint or furnish employment to any person whose salary, wages, pay, or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment.**

Relation by blood within the second degree includes grandparents and grandchildren. Laterally, it includes brothers and sisters.

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Legal References	Description
IC § 18-1359	Use Public Position for Personal Gain
IC § 18-1361	Self-Interest Contracts - Exception
IC § 18-1361A	Non-compensated Appointed Public Servant – Relative of Public Servant – Exceptions
IC § 33-507	Limitation Upon Authority of Trustees
IC § 74-501	Officers Not to be Interested in Contracts
IC § 74-502	Remote Interests
IC § 74-503	Officers Not to be Interested in Sales

Other References	Description
ISBA Policy Services	https://www.idsba.org/member-services/policy/