

**BOARD OF EDUCATION
SERIES 200**

202.5

TITLE: BOARD OF TRUSTEES CONFLICT OF INTEREST

It shall be unlawful for any board member to have pecuniary interest directly or indirectly in any contract or other transaction pertaining to the maintenance or conduct of the school district, or to accept any reward or compensation for services rendered as a board member except as otherwise provided by law. The board may accept and award contracts involving the school district to businesses in which a trustee or his/her relative has a direct or indirect interest provided the following procedures are followed:

1. The contract is competitively bid and the board member or his/her relative submits the low bid;
2. Neither the board member nor his/her relative takes part in the preparation of the contract or bid specifications, and the board member takes no part in voting on or approving the contract or bid specification;
3. The board member makes full disclosure, in writing, to all members of the board of his/her interest or the interest of his/her relative and sets forth his/her intention, or the intention of his/her relative, to bid on the contract; and
4. Neither the board member nor his/her relative has violated any provisions of Idaho law pertaining to competitive bidding or improper solicitation of business.
5. Neither 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 202.6;

"Relative" is defined as a person related to the board member by blood or marriage within the second degree.

The receiving, soliciting or acceptance of monies of a school district to deposit in any bank or trust company, or the lending of money by any bank or trust company to any school district, shall not be deemed to be a contract pertaining

to the maintenance or conduct of a school district. The payment by any school district board of compensation to any bank or trust company for services rendered in the transaction of any banking business with such board, shall also not be deemed the payment of any reward or compensation to any officer or director of any such bank or trust company.

It shall be unlawful for the board of any school district to enter into or execute any contract with the spouse of any member of such board, the terms of which said contract requires, or will require, the payment or delivery of any school district funds, money or property to such spouse, except as provided above.

When any relative of any board member or relative of the spouse of a board member related by affinity or consanguinity within the second degree is considered for employment in a school district, such board member shall abstain from voting in the election of such relative and shall be absent from the meeting while such employment is being considered and determined.

Cross Reference: 1615 Trustee Spouse Employment

Legal Reference: I.C. § 33-507 Limitation upon authority of trustees
I.C. § 18-1359 Use public position for personal gain
I.C. § 18-1361 Self-Interest Contracts - Exception
I.C. § 18-1361A Non-compensated Appointed Public Servant –
Relative of Public Servant -- Exceptions
I.C. § 59-201 Officers not to be interested in contracts
I.C. § 59-202 Officers not to be interested in sales

LEGAL REFERENCE: 33-507
Adopted: 11/10/03
Revised: 12/8/14