

## BOARD MEMBER CONFLICT OF INTEREST

It is the intent of this policy to protect the public trust placed in the elected school board members. As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, and demonstrable and which is or may be in conflict with the public interest.

A board member who has a personal or private interest in matter proposed or pending before the Board shall disclose such interest to the Board, shall not deliberate on the matter, shall not vote on the matter, and shall not attempt to influence other members of the Board in voting on the matter.

Additionally, Board members should refrain from engaging in conduct or actions, which give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

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

### **Nepotism**

The Board will not employ any teacher or other employee if such teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the Superintendent or any member of the Board. If a conflict exists, the Board member shall declare his/her interest and refrain from debating, discussing or voting on a nomination or other issue.

In the case where the relationship is with the Superintendent, the Superintendent shall disclose the relationship to the Board as early as possible in the recruitment/selection process for the open position or in the case of someone currently employed by the district, before recommending any job related action pertaining to the individual. The Board shall determine whether, were the candidate selected, the supervisor – subordinate relationship between the Superintendent and the prospective employee will be sufficiently indirect, to not disqualify the candidate. If not disqualified, and prior to candidates for the position being screened and a nominee being selected, or the Board approving any job related action, the Superintendent and the Board shall agree on a mechanism to address the conflict of interest. Where practical, the Board may designate another district staff member to fulfill the role of the Superintendent for the selection of a nominee for the position or take appropriate alternative steps.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

*Legal References*

*Marsh v. Hanover 113 NH 667 (1973)*

*Atherton v. Concord, 109 NH 164 (1968)*

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