

## **BCB - BOARD MEMBER CONFLICT OF INTEREST**

### *Category R*

It is the intent of this policy to protect the public trust placed in 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 a 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 is an employee. The policy is designed to prevent placing a Board member in a position where his interest in the public schools and his interest in his 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.

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:**

<sup>i</sup>*Marsh v. Hanover, 113 NH 667 (1973) and*

<sup>ii</sup>*Atherton v. Concord, 109 NH 164 (1968)*

First Reading: 5/8/07

Second Reading 5/22/07

Adopted 6/12/07

<sup>i</sup>*NH Supreme Court case opinions prior to 1995 are not available through the state website. For more information about this case, please contact Kathleen O'Sullivan at NHSBA Policy Services at 228-2061, or email [kosullivan@nhsba.org](mailto:kosullivan@nhsba.org).*

*Thank you!*

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*Thank you!*