

ORGANIZATION, PHILOSOPHY AND GOALS

Policy 0342
(Regulation 0342)
(Form 0342)

School Board Organization

Nepotism, Conflict of Interest and Financial Disclosure

The Board may employ a person related within the fourth degree to a Board member (see Form 0342), provided the related Board member does not debate or vote upon the employment issue. However, the Board may not under any circumstances employ one of its own members.

In order to consider employment of a Board member's spouse, the position must have been advertised as required in Policy 4120 - Employment Procedures. In addition, the Superintendent must consider and submit a written affirmative recommendation to the Board. The names of all applicants for that position, as well as the name of the applicant hired, are to be included in the Board minutes.

Members of the Board of Education will conduct themselves in a manner which complies not only with the letter of conflict of interest laws, but also in the spirit of those provisions. Board members will at all times make good faith efforts to avoid the appearance of a conflict of interest. If a situation arises which involves the potential for a conflict of interest, the individual Board member will declare his interest and will refrain from debating or voting upon the question of engaging or using the business entity in question.

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Contractual and Business Relationships

No Board member or District employee may:

1. Perform a service, sell, rent or lease any property to the District for consideration of in excess of five hundred dollars (\$500.00) value per transaction or five thousand dollars (\$5,000.00) value per annum to him/her, or to their spouse, to a dependent child in his/her custody, or to a business with which member or employee is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and, in the case of personal property, competitive bidding, provided that the bid or offer accepted is the lowest received.
2. Attempt, for any compensation other than the compensation provided for the performance of his/her official duties, to influence the decision of the Board or the District on any matter.

Business Entities

No partnership, joint venture, or corporation in which any Board member is a partner having the lesser of a ten percent (10%) interest or a ten thousand dollar (\$10,000) value partnership interest, or a co-participant or owner of outstanding shares of any class of stock with a fair market value equal to the lesser of ten percent (10%) of the outstanding shares or \$10,000, shall:

1. Perform any service for the District for any consideration in excess of five hundred dollars (\$500) per transaction, or five thousand dollars (\$5,000) per annum, unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received.
2. Sell, rent or lease any property to the District where the consideration is in excess of five hundred dollars (\$500) per transaction, or five thousand dollars (\$5,000) per annum, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

Use of Confidential Information

A Board member shall not use or disclose confidential information obtained in his/her official capacity in any manner with the intent to cause financial gain for himself/herself, any other person, or any business. This also precludes the use of mailing lists or the school mail for any communication other than that directly related to school matters. The term Confidential Information shall mean all information whether transmitted orally or in writing which is of such a nature that it is not, at that time, a matter of public record or public knowledge.

Acceptance of Gifts

A Board member shall not solicit or accept gifts, payments, or anything greater than a nominal value item or holiday gifts of nominal value from any person, organization, group or entity doing business or desiring to do business with the District.

Contact Between Vendors and Board Members

A Board member, if contacted by a vendor requesting information about the District's bidding procedures, whether of a general nature or with regard to a specific goods or service to be bid, shall provide the vendor with the name and business telephone number of the District's Business Manager. The Board member shall request that the vendor contact the Business Manager and direct all questions concerns to him/her.

Post Service/Employment

Neither a Board member, nor a District employee serving in an administrative capacity, may perform any service for consideration during one year after termination of his or her employment or office, by which performance he or she attempts to influence a decision of the Board of Education.

Financial Interest Statement

All Board members will disclose to the public all potential Board member and employee conflicts of interest including:

1. Transactions in excess of five hundred dollars (\$500) per calendar year between a Board member, Superintendent, chief purchasing officer, or general counsel employed full time, and any person related within first degree consanguinity (see Form 0342) to such persons and the School District, excluding compensation received as an employee or payment of any tax, fee or penalty due to the District. Disclosure will include the dates and identities of the parties in the transaction.
2. Transactions between any business entity in which such individuals have a substantial

3. interest¹ with a total in excess of five hundred dollars (\$500), and the School District, excluding any payment of tax, fee or penalty due to the District or payment for providing utility service to the District. Disclosure will include the dates and identities of the parties in the transactions.

The Superintendent and chief purchasing officer will make written disclosure of the following:

1. The name and address of each employer who provided income of one thousand dollars (\$1,000) or more to the Superintendent or chief purchasing officer.
2. The name and address of each sole proprietorship which the individual owned; the name, address and general nature of business conducted by each general partnership or joint venture in which he/she was a partner or participant; the name and address of each partner or co-participant in the partnership or joint venture unless the information is already filed with the Secretary of State; the name, address, and general nature of business or any closely held corporation or limited partnership in which the individual owned ten percent (10%) or more of any class of the outstanding stock or limited partner's units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system which the individual owned two percent (2%) or more of any class of outstanding stock, limited partnership units, or other equity interests.
3. The names and addresses of each corporation for which the individual served as director, officer, or receiver.

A certified copy of this regulation shall be sent to the Missouri Ethics Commission within ten (10) days of the adoption. Disclosure reports will be filed by May 1 for the preceding calendar year with the commission and the District's Board of Education, and the reports will be made available to the public during normal business hours.

The Board of Education shall readopt this policy biennially on or before September 15 of the calendar year.

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¹ "Substantial Interest" is defined as ownership by the individual, his/her spouse, or dependent children, either singularly or collectively, of ten percent (10%) or more of any business entity, or an interest having a value of ten thousand dollars (\$10,000) or more, or receipt of a salary, gratuity or other compensation of five thousand dollars (\$5,000) or more from any individual, partnership, organization or association within any calendar year.