

BOARD MEMBER CONFLICT OF INTEREST

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 will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should refrain from engaging in conduct or actions that 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/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.

Definitions.

As used in this policy, the following terms shall have the meanings indicated:

DISCLOSURE – The revelation of an interest that could either bias or affect the outcome of a school board decision. Disclosure must be public and must be confirmed in writing.

INTEREST – Any privilege, profit, gain or advantage one stands to receive if certain actions or events occur.

FINANCIAL INTEREST – Any interest which, either directly or indirectly, promotes or obtains a monetary or material benefit due to its exercise (other than the authorized salary and benefits for public service to the school district) to the official or employee, the immediate family of the official or employee, or to anyone retaining the services of the official or employee.

PERSONAL INTEREST – Any interest created by blood, marriage, close business relationships, political associations, or household residence.

PECUNIARY INTEREST – Any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain. It does not include economic gain applicable to the public generally, such as tax reduction or increased prosperity generally.

Adopted: December 2, 1986, September 14, 2010, Nov. 10, 2015
Reviewed: September 20, 2004, August 2012
Revised: August 2010, Nov. 2015
Cancellation:

DATE:

BOARD MEMBER CONFLICT OF INTEREST

Ethics, Code of

Gifts and favors. No gifts, whether they be money, favors, things, loans or promises, are to be accepted by any public official or board member while acting in his capacity as a public official or employee of the Town.

Confidential information.

No public official or employee shall disclose any confidential information regarding any other official, employee, board member, commission member, person, property or governmental affairs of the school district unless and until prior approval by the public body having jurisdiction or the school board permits disclosure.

Regardless of whether disclosure is involved, no official or employee shall allow or use any confidential information to advance his own personal gain or that of any other person.

Nepotism

The Board may employ a teacher or other employee if that 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. Such a relationship will not automatically disqualify a job applicant from employment within the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. The job applicant is expected to declare his/her relationship with the Board member as well.

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.

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Hampton School District Policy

Section: B
Code: BCB
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Conduct of public officials

No public official shall:

Participate in any hearing, debate, discussion or vote or in any manner otherwise attempt to influence the outcome of a matter in which he or she has an interest, whether such interest is financial, personal, familial, or pecuniary.

Utilize information obtained in such capacity for his or her own personal benefit or that of his or her clients or the clients of the organization with which the public official is associated.

Appear on behalf of a client before any governmental body of which the public official is a member or whose members have been appointed by the governmental body of which the public official is a member.

Accept anything of value from any person or organization when the public official knows or reasonably should know that the offer is for the purpose of influencing the public official's actions or decisions.

Use his or her official position to influence or to attempt to influence any governmental body to act in favor of the public official or the public official's clients or clients of the organization with which the public official is associated.

Legal References:

*Marsh v. Hanover, 113 NH 667 (1973) and
Atherton v. Concord, 109 NH 164 (1968)*

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