

Conflict of Interest

A Board may not:

1. Use the Board Member's official power to further the Board Member's own interests;
2. Have a pecuniary interest directly or indirectly, except a remote interest, in any contract or other transaction pertaining to the maintenance or conduct of the Charter School. A "remote interest" means:
 - A. The Board Member is a non-salaried employee of a nonprofit corporation; or
 - B. The Board Member is an employee or agent of a contracting party where the compensation of the Board Member as an employee or agent consists entirely of fixed wages or salary; or
 - C. The Board Member is a landlord or tenant of a contracting party; or
 - D. The Board Member is a holder of less than one percent (1%) of the shares of a corporation or cooperative a contracting party; and
 - E. The Board Member discloses such remote interest to the Board of Directors;
3. Accept any reward or compensation for services rendered as a Board Member except as expressly provided by law;
4. Accept and award contracts involving the Charter School to businesses in which a Board Member or person related to him or her by blood or marriage within the second degree has a direct or indirect interest except when the procedures set forth in I.C. §§ 18-1361 or 18-1361A are followed;
5. Be involved in the employment of a relative related by affinity or consanguinity within the second degree. The Board Member shall be absent from the meeting while such employment is being considered and/or determined;
6. Enter into a contract in the Board Member's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;
7. Accept a bribe of money, a promise, a gift, or any other form of personal advantage or engage in a substantial financial transaction for the Board Member's private business purpose with a person whom the Board Member inspects or supervises in the course of official duties;

8. Be a purchaser or vendor at any sale or purchase made by the Board Member in the Board Member's official capacity;
9. Employ the spouse of a Board Member when such employment requires or will require the payment or delivery of any Charter School 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 1615;
10. Use public funds or property to obtain a pecuniary benefit for himself or herself;
11. Solicit, accept, or receive a pecuniary benefit as payment for services, advice, assistance, or conduct customarily exercised in the course of the Board Member's official business;
12. Use or disclose confidential information gained in the course of or by reason of the Board Member's official position or activities in any manner with the intent to obtain a pecuniary benefit for the Board Member or any other person or entity in whose welfare the Board Member is interested or with the intent to harm the Charter School;
13. Appoint or vote for the appointment of any person related to him or her by blood or marriage within the second degree to any clerkship, office, position, employment or duty, when the salary, wages, pay, or compensation of such appointee is to be paid out of public funds or fees of office, or appoint or furnish employment to any person whose salary, wages, pay, or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment.

Relation by blood within the second degree includes grandparents and grandchildren. Laterally, it includes brothers and sisters.

Cross Reference: 1615 Director Spouse Employment

Legal Reference: I.C. § 33-507 Limitation Upon Authority of Trustees
 I.C. § 33-5204 Non-profit Corporation – Liability – Insurance
 I.C. § 18-1359 Use Public Position for Personal Gain
 I.C. § 18-1361 Self-Interest Contracts - Exception
 I.C. § 18-1361A Noncompensated 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

Policy History:

Adopted on: 1/23/2017

Revised on: