

# Policy 0201-04

## Conflict of Interest

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No Trustee of the West Ada School Board (Trustee) may use his or her office to obtain anything of value for the Trustee or his or her Family.

No Trustee may solicit or accept anything of value if it could reasonably be considered a reward for any official action.

No Trustee may take any official action affecting a matter in which the Trustee or the Trustee's Family has more than a remote interest.

No Trustee may use his or her office to produce a direct or indirect benefit for the Trustee, or members of his or her Family.

No Trustee may receive payments or gifts in his or her capacity as a Trustee, except Trivial Benefits as defined in Idaho Code 18-1359.

No Trustee or their spouse may serve in any capacity as paid employees of the West Ada School District (District).

A Trustee whose non-spouse family member is employed by the District shall not participate in any employment decisions involving the non-spouse family member and shall leave the meeting during such proceedings in order to avoid the appearance of a conflict of interest.

No Trustee may accept and award contracts involving the District with businesses in which a Trustee or Trustee's Family has a direct or indirect interest except when the procedures set forth in Idaho Code 18-1361 or 18-1361A are followed.

No Trustee shall enter into a contract in the Trustee's individual capacity, the effect of which is to create a personal interest which may conflict with the Trustee's public duty. It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a board member is an employee of the firm. The policy is designed to prevent placing a Trustee in a position where the Trustee's interest in the public schools and interest in his/her place of employment (or other indirect interest) might conflict, and to avoid the appearance of a conflict of interest, even though such a conflict may not exist.

The following definitions apply to this policy:

- **Family:** This includes any person related to the Trustee by blood or marriage within the first or second degree. This definition includes the following: spouse, parents, full and half siblings, children, grandparents, grandchildren, aunts, uncles, nephews and nieces.
- **Remote Interest:** A remote interest means:
  1. That of a non-salaried officer of a nonprofit corporation; or
  2. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary; or
  3. That of a landlord or tenant of a contracting party; or
  4. That of a holder of less than one percent (1%) of the shares of a corporation or cooperative which is a contracting party.
- In an instance where a Remote Interest exists, the following steps must be taken by the Trustee holding the Remote Interest:
  1. The Trustee must disclose that he holds a Remote Interest
  2. This disclosure must be noted in the official minutes prior to the formation of a contract prior to the non-interested Trustees approving the contract.

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Reference: IC 33-501/3, 507, 18-1359, 18-1361, 18-1361A