

Board Member Conflict of Interest

In order to further the mission of the schools, to meet RSU 40's obligations under applicable law, and to promote public confidence in the schools, Board members must not permit personal financial interests or family allegiances to influence improperly the performance of their duties.

For the purposes of this policy, the following definitions apply:

- A. "Employee" means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for RSU 40.
- B. "Volunteer" means a person who performs personal services for RSU 40 without monetary payments or benefits of any kind or amount.

Contracts

The Board may not enter into any contract in which a Board member (i) has a direct or indirect pecuniary interest (as defined by law), or (ii) is employed by, contracts with, or has any other financial interest in an entity that furnishes goods or services to the schools, except as follows:

1. The Board member having the interest makes full disclosure of interest before any action is taken and abstains from voting, negotiating, or award of the contract, and from otherwise attempting to influence the decision (disclosure and abstention must be recorded in the minutes of the Board), or
2. The contract is obtained through properly advertised bid procedures in accordance with state law and Board policies.

When a Board member participates in the selection, award, or administration of a contract that is supported by a federal award, the Board member will also comply with Board Policies DJ and DJH.

Employment

1. A Board member may not, during the time the member serves on the Board and for one year after the member ceases to serve on the Board, be appointed to any civil office of profit or employment position that has been created or the compensation of which has been increased by action of the Board during the time the member serves on the Board.

2. A RSU 40 Board member or spouse of a member may not be an employee of RSU 40.
3. A member of the RSU 40 Board or spouse of a member may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular, or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director, or other school administrator of RSU 40.
4. Volunteer activities of a member of RSU 40's Board or member's spouse, other than in roles that are prohibited by this section, may be prescribed by policies developed and approved by the Board.

Cross Reference: BCC – Nepotism
 DJ – Bidding/Purchasing Requirements
 DJH – Purchasing and Contracting: Procurement Staff Code of Conduct

Legal References: 20-A M.R.S. §§1002 – 1004
 30-A M.R.S. §§2604 – 2605

This is a required policy.

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