Board Member Conflict of Interest

A Director may not:

1. Use the Director's official power to further the Director'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 Director is a non-salaried employee of a nonprofit corporation that is the contracting party;

   B. The Director is an employee or agent of a contracting party where the compensation of the Director as an employee or agent consists entirely of fixed wages or salary;

   C. The Director is a landlord or tenant of a contracting party; or

   D. The Director is a holder of less than one percent of the shares of a corporation or cooperative a contracting party

   and the Director discloses such remote interest to the Board of Directors. The Director may not, under any circumstances, be employed by the School;

3. Accept any reward or compensation for services rendered as a Director except as expressly provided by law;

4. Accept and award contracts involving the Charter School to businesses in which a Director 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. Enter into or execute any contract with the spouse of any Director, the terms of which require the payment or delivery of any public charter school funds, moneys, or property to such spouse, except as provided in Idaho Code § 18-1361 and 18-1361A;

6. Employ the spouse of a Director 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. § 33-5204(5)(c) are followed as outlined in Policy 1615;

7. Be involved in the employment decision of a relative related by affinity or consanguinity within the second degree. The Director shall be absent from the meeting while such employment is being considered and/or determined;

8. Vote on any decision affecting the compensation, benefits, individual performance evaluation or disciplinary action related to a Director's spouse.

9. Enter into a contract in the Director's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;

10. Be a purchaser or vendor at any sale or purchase made by the Director in the Director's official capacity;

11. Use public funds or property to obtain a pecuniary benefit for himself or herself;

12. Solicit, accept, or receive a pecuniary benefit as payment for services, advice, assistance, or conduct customarily exercised in the course of the Director's official business;

13. Use or disclose confidential information gained in the course of or by reason of the Director's official position or activities in any manner with the intent to obtain a pecuniary benefit for the Director or any other person or entity in whose welfare the Director is interested or with the intent to harm the District;

14. 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 References:	I.C. § 18-1359	Using Public Position for Personal Gain
	I.C. § 18-1361	Self-Interested Contracts — Exception
	I.C. § 18-1361A	Non-compensated Appointed Public Servant — Relatives of Public Servant — Exception
	I.C. § 33-5204	Nonprofit Corporation—Liability—Insurance
	I.C. § 33-5204A	Applicability of Professional Codes and Standards – Limitations upon Authority
	I.C. § 74-501	Officers Not to be Interested in Contracts
	I.C. § 74-502	Remote Interests

I.C. § 74-503	Officers Not to be Interested in Sales
I.C. § 33-5206	Requirements and Prohibitions of a Public Charter School

Policy History:
Adopted on: Oct. 18, 2022
Revised on:
Reviewed on: