

NEPN/NSBA Code: BCB
M.S.A.D. #12 POLICY
BOARD MEMBER CONFLICT OF INTEREST

A Board member shall not have any direct or indirect pecuniary interest (as defined by law) in a contract with the school unit, nor shall he/she furnish directly any labor, equipment, or supplies to the unit.

In the event that a Board member is employed by a corporation or business, or has a secondary interest in a corporation or business which furnishes goods or services to the schools, the Board member shall declare his/her secondary interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the school unit from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent the placing of Board members in a position where their interest in public schools and their interest in their places of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

A School 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 which has been created or the compensation of which has been increased by the action of the School Board during the time the member serves on the Board.

A member of the Board, or spouse of a member, may not be employed in a public school within the jurisdiction of the Board to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

A member of the Board, or spouse of a member, may not serve as a volunteer when that volunteer has primary responsibility for a curricular, cocurricular, or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the Board to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee.

Volunteer activities of a member of the 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.

For purpose of this policy, the following statutory 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 a school administrative unit.

B. "Volunteer" means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount.

Legal Reference: 17 MRSA § 3104
20-A MRSAS§ 1002 et seq.; 1051
30-A MRSA §§ 2251; 2604 et seq.

Adopted: October 08, 2002