

Board Member Conflict of Interest

The Ashland School Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, and demonstrable and which is or may be in conflict with the public interest.

A board member shall not have any direct personal and pecuniary interest in a contract with the school district nor shall s/he furnish directly any labor, equipment, or supplies to the district for recompense.

A board member who has a personal or private interest in a matter proposed or pending before the Ashland School Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter. Further, board members should refrain from engaging in conduct or actions that give the appearance of a conflict of interest.

In the event 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 school district, the board member shall declare his or her interest and refrain from debating, discussing, or voting upon the question of contracting with the company. 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; but, rather, to prevent placing a board member in a position where his or her interest in the public schools and his or her interest in his/her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist. RSA 95:1 requires that "No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office." Through the use of open competitive bidding or recusal of any Board member who has a conflict of interest, the Board will seek to obtain the best value for the district while avoiding impropriety or the appearance of impropriety.

Any board member shall be able to raise a concern related to a perceived or real conflict of interest on the part of another board member. The conflict shall be identified and brought before the Board for discussion.

Nepotism

The Board may employ any teacher or other employee if such teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. This paragraph shall also apply to any other person who shares the expenses of daily living with the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district. However, if a conflict of interest arises, the board member shall declare his/her interest and refrain from debating, discussing, or voting on a nomination or other issue. In the case where the relationship is with the Superintendent, the Superintendent shall disclose the relationship to the Board as early as possible in the recruitment/selection process for the open position or in the case of someone currently employed by the district, before recommending any job related action pertaining to the individual. The Board shall determine whether, were the candidate selected, the supervisor - subordinate relationship between the Superintendent and the prospective employee will be sufficiently indirect, to not disqualify the candidate. If not disqualified, and prior to candidates for the position being screened and a nominee being selected, or the Board approving any job related action, the Superintendent and the Board

shall agree on a mechanism to address the conflict of interest. Where practical, the Board may designate another district staff member to fulfill the role of the Superintendent for the selection of a nominee for the position or take appropriate alternative steps. The job applicant is expected to declare his/her relationship with the Board member or Superintendent as well.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

Legal References:

Marsh v. Hanover, 113 NH 667 (1973) and
Atherton v. Concord, 109 NH 164 (1968)
RSA 95:1, Public Officials Barred From Certain Private Dealings

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