

BOARD MEMBER CONFLICT OF INTEREST

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the 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 who has a personal or private interest in a matter proposed or pending before the 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. Additionally, Board members should refrain from engaging in conduct or actions, that give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

It is not the intent of this policy to prevent the district from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment (or other direct interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

Nepotism

The Board may employ a teacher or other employee if that 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. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. The job applicant is expected to declare his/her relationship with the Board member 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:

ⁱ*Marsh v. Hanover, 113 NH 667 (1973) and*

ⁱⁱ*Atherton v. Concord, 109 NH 164 (1968)*

Approved 3/16/92

Policy Committee Review: 5/16/17, 9/19/17

Board Approval of Revision: 10/16/17

Policy Committee Review: 5/16/24

ⁱ***NH Supreme Court case opinions prior to 1995 are not available through the state website. For more information about this case, please contact Barrett Christina at NHSBA Policy Services at (603) 228-2061, or email bchristina@nhsba.org.***

ⁱⁱ***NH Supreme Court case opinions prior to 1995 are not available through the state website. For more information about this case, please contact Barrett Christina at NHSBA Policy Services at (603) 228-2061, or email bchristina@nhsba.org.***