

2nd CLASS DISTRICTS ONLY
CONFLICTS OF INTEREST

Individual directors and the superintendent shall have no pecuniary interest, directly or indirectly, in any contract, the purchase of any goods or services, or any other paid from school district funds, except as permitted in the following:

1. A director, or his/her spouse or dependents, or the spouse or dependents of the superintendent may be paid no more than **\$200** in any calendar month for unskilled day labor;
2. A director may be employed as a bus driver at the same compensation and on the same terms as other district bus drivers; and
3. A director may enter into nonsalaried financial transactions not to exceed ~~\$750~~ **\$1,500** in any calendar month. **The district shall maintain a list of all contracts covered under this paragraph and the list shall be available for public inspection and copying.**
4. A school director may be designated as district clerk and/or purchasing agent.
5. The spouse of a director or the superintendent may be employed as a substitute teacher on the same terms and at the same compensation as other substitute teachers in the district, if the following conditions are met: the superintendent finds that the number of qualified substitute teachers in the school district is insufficient to meet anticipated needs for short-term and one-day substitute teachers; and the superintendent ensures that assignment of substitute teachers to available positions is done in a fair and impartial manner.
6. In school districts with fewer than 200 FTE students, the board may employ the spouse of a director or the superintendent as a certificated or classified staff member.

A director may not vote on the authorization, approval or ratification of a contract in which he/she is beneficially interested and to which one of the exemptions described above applies.

Prior to approval of the employment of the spouse of a school director or the superintendent, the board of directors shall be advised of the number of other individuals who are qualified for and interested in the position(s) to be filled. The district shall not discriminate in any way against any applicant for a certificated position or any certificated employee on the basis of a family relationship with a school director or the superintendent. All employment decisions shall be made on the basis of choosing the applicant which furthers the best interests of the school district.

If a person is employed by the district under contract as a classified or certificated employee before his or her

spouse becomes a director or superintendent, the contract can be renewed for further employment, provided that the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district for that position.

Whenever a director, or his or her spouse or dependent is employed by the district, the director shall refrain from participating in or attempting to influence any board action affecting the employment status of the director, spouse or dependent. Actions affecting employment status include, but are not limited to, hiring, establishing compensation and fringe benefits, setting working conditions, conducting performance evaluations, considering or imposing discipline and termination.

~~In those cases where a majority of the board has a lawfully permitted pecuniary interest in an employment matter before the board, all of the directors may participate in the board action on that matter. In such instances, the board minutes shall report the nature of each director's interest in the employment matter and that a majority of the board has lawfully permitted pecuniary interests in the matter. Board members with a lawfully permitted pecuniary interest in an employment matter who participate in a board action on the matter because a majority of the board have a similar interest shall put aside their personal interests and act in the best interest of the school district.~~

The superintendent shall maintain a log of any contract subject to this policy and annually, or when a new director assumes office, shall inform the board of the existence of all such contracts.

Legal References: RCW	28A.330.240	Employment contracts
	28A.405.250	Certificated employees, applicants for certificated position, not to be discriminated against
	28A.635.050	Certain corrupt practices of school officials--Penalty
	42.23.030	Interest in contracts prohibited--Excepted cases
	42.23.040	Remote interests

Adoption Date: NOV 17 1999
Orcas Island School District