



Boulder Valley School District

File: BBFA

Adopted:

Revised: January 26, 1989

BOARD MEMBER CONFLICT OF INTEREST

Public office is a trust created in the interest of the common good and for the benefit of the people. It is the intent of this policy to maintain public confidence and prevent the use of public office for private gain.

For purposes of this policy, the Board declares that situations which present a potential conflict of interest are those in which a Board member will derive a private benefit that is either pecuniary or personal in nature from Board action. A Board member who has a personal or private interest in a matter proposed or pending before the Board shall disclose such interest to the Board in writing and shall not vote on the matter or attempt to influence the decisions of other Board members in voting on the matter. The written disclosure will be attached to the minutes of the meeting in which Board action occurred relating to the matter disclosed.

However, if a Board member has complied with statutory disclosure requirements by notifying the Secretary of State of his or her interest in the matter, the member may vote if the member's participation is necessary to obtain a quorum or otherwise enable the Board to act.

The written disclosure to the Secretary of State shall list as applicable the amount of the member's financial interest, the purpose and duration of any services rendered, and compensation received for services or such other information necessary to describe the interest.

The Board shall not enter into any contracts with any of its members or with the firm or corporation in which a member has a financial interest, except under the following circumstances:

1. The contract is awarded to the lowest responsible bidder based on competitive bidding procedures.
2. The merchandise is sold to the highest bidder at a public auction.
3. The transaction involves investing or depositing money in a financial institution which is in the business of loaning money or receiving money.
4. If, because of geographical restrictions, the District could not otherwise reasonably afford the contract because the additional cost to the District would be greater than 10

percent of the contract with the interested member, or if the contract is for services that must be performed within a limited time period in which no other contractor can perform the services.

5. If the contract is one in which the Board member has disclosed a personal interest and is one on which the member has not voted or has voted as allowed in state law following disclosure to the Secretary of State and to the Board.

"Financial interest" does not include holding a minority interest in a corporation.

Except as described above, a Board member shall not be a purchaser at any sale or a vendor at any purchase made by the District.

A member of the Board may request an advisory opinion from the Secretary of State concerning issues relating to the member's conduct and potential conflict of interest.

A copy of this policy will be filed with the Colorado Department of Education according to the provisions of Colorado statute. Following acknowledgment of receipt of the copy by the Department, the Board shall be exempt from the provisions of C.R.S. 18-8-308(1) and (2). A copy of the Department of Education's acknowledgment will be attached to this policy file as an exhibit to be identified as File: BBFA-E.

LEGAL REFS.: C.R.S. 22-32-109(1)(y)
C.R.S. 24-17-101 *et seq.*

CROSS REFS.: BAA, Board Operations
BBFB, Board Member Conduct

End of File: BBFA