

Board Operation

1-6 *Trustee Conflict of Interest*

Trustees shall act at all times in the best interest of the district, fulfilling their responsibilities and obligations as elected public officials in a manner that inspires confidence and trust in the integrity, objectivity and impartiality of the Board.

Definition:

A conflict of interest exists when an individual trustee's personal interests or those of family members, business partners or close personal associates, financial or otherwise, interfere with or compromise the trustee's ability to act in the best interests of the district and the constituents whom it serves. Such conflict of interest may be real, potential or perceived.

In addition to the provisions of the *School Act* concerning monetary conflicts of interest, trustees are also considered to be in a conflict of interest in the following circumstances:

- When they, members of their family, business partners or close personal associates may benefit financially or professionally, either directly or indirectly, from the trustee's position on the board.
- When circumstances arise that compromise, or appear to compromise, independence and ability to make fair and unbiased decisions (i.e. employment or professional status, political affiliations, community connections).
- When they appropriate district financial or other resources for personal use (i.e. information, equipment, supplies).
- When they are involved in staffing and student issues involving family members, business associates or personal friends (i.e. contracting for services, hirings, promotions, evaluations, disciplinary actions).

Disclosure:

- A trustee must openly disclose a real, potential or perceived conflict of interest as soon as the issue arises and before the board or its committees deal with the matter.
- Where uncertain about whether or not the issue constitutes a conflict of interest, the trustee may consult with the board chair or the secretary treasurer for advice and guidance.
- Where any trustee is aware of a real, potential or perceived conflict of interest not declared by any other trustee, he/she has the responsibility to raise the issue for clarification with the individual, and if unresolved, then with the board.
- Full disclosure does not remove or eliminate a conflict of interest.

Decision-Making Process:

- Where there is a question or uncertainty about a conflict of interest circumstances, the board by vote shall make a final determination. The trustee potentially in conflict shall be absent from the discussion and the vote.
- Where a conflict of interest is declared/confirmed, the trustee so affected will be absent from any discussion of the issue and vote upon it. Further, the trustee shall not attempt to personally influence the board's decision in regards to the issue.
- Conflict of interest disclosure and decisions shall be duly recorded in the official minutes of the meeting at which the disclosure/decision occurred.

Conflict of Interest Test Questions:

1. *Peer Standard* – Would the community accept and approve of this person's or organization's actions?
2. *Reputational Test* – What impact will it have on our credibility and leadership?
3. *Reasonable Person Test* – What would a reasonable, prudent person or board do under the circumstances?
4. *Best Interests Test* – Is this in the best interest of the students, the Board and the community?

6 P's for Conflict of Interest:

1. Public duty vs private interests

Do I have personal or private interest that may conflict, or be perceived to be in conflict with my public duty?

2. Potentialities

Could there be benefits for me now, in the future that could cast doubts upon my objectivity?

3. Perception

How will my involvement in the decision/action be viewed by others?

4. Proportionality

Does my involvement in the decision appear fair and reasonable in all of the circumstances?

5. Presence of mind

What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?

6. Promises

Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action/decision?

Board Revision Date:

Board Adopted:

June 20, 2017