

**WEST LINN-WILSONVILLE SCHOOL DISTRICT
SCHOOL BOARD POLICY**

Current File Code: BBFA
Date Policy Adopted: 10-09-06

BOARD MEMBER CONFLICT OF INTEREST

No Board member, in his/her official capacity, shall take any action or make any decision or recommendation which would be to the private pecuniary benefit or detriment of the Board member, a Board member's relative or a business with which the Board member is associated. Relative is defined as a Board member's spouse, children of a Board member or of a spouse, brothers, sisters and parents of a Board member or spouse. "Business" means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain.

Board members, as a unit or individually or any employee of the Board will not:

1. Offer or accept money or anything of value for or in consideration of obtaining an appointment, promotion, or privilege within the school system.
2. Disclose to any person not entitled thereto, information gained by virtue of office or employment, or otherwise use such information for personal gain or profit.
3. Solicit or receive directly or indirectly during any calendar year any gift or gifts with an aggregate value in excess of \$100 from any single source that could reasonably be known to have a legislative, administrative, regulatory, contractual, supervisory or judicial interest in the district.

Potential Conflict of Interest

"Potential conflict of interest" means an action or any decision or recommendation by Board member that could result in a financial benefit or detriment for self or relative or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member may, after declaring his/her potential conflict of interest, either vote or abstain on the issue.

Abstaining from a vote does not meet the legal requirement of publicly stating potential conflict.

Actual Conflict of Interest

“Actual conflict of interest” means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

Board members may, in their private or professional lives, find themselves in conflict with positions of the board. At such times, board members are to refrain from using their title as director or officer in stating such positions and, if necessary, to say publicly that they are not stating a position to the Board.

Penalties are provided by state statutes for violation of the Code of Ethics.

The state Code of Ethics applicable to Board members is set forth in ORS chapter 244.010, *et. seq.* Penalties are provided by state statutes for violation of this code.

END OF POLICY

Legal References:

Ref: ORS 244.040(1)(a); 244.120(2); 244.380