

## **CONFLICT OF INTEREST**

School Committee service is a matter of public trust. In making decisions that affect the **Chebeague Island Schools**, Committee members have the duty to act in the interest of the common good and for the benefit of the people they represent.

A conflict of interest may arise when there is an incompatibility between a Committee member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the School Committee. Committee members have a legal and ethical responsibility to avoid not only conflict of interest, but the appearance of conflict of interest as well.

### **Financial Interest**

A Committee member has a financial interest in a question or contract under consideration when he/she or a member of his/her immediate family may derive some financial or other material benefit or loss as a result of the Committee action. The vote of the Committee is voidable if a Committee member has a financial interest and votes on that question or is involved in the discussion, negotiation, or award of a contract or other action in which he/she has a financial interest.

In order to prevent the vote on a question or contract from being voidable, a Committee member who has a financial interest must:

- A. Make full disclosure of his/her interest before any action is taken;  
and
- B. Abstain from voting, from the negotiation or award of the contract and from otherwise attempting to influence the decision.

The Secretary of the Committee shall record in the minutes of the meeting the member's disclosure and abstention from taking part in the decision in which he/she has an interest.

It is not the intent of this policy to prevent a Committee member from voting or the school unit from contracting with a business because a Committee member is an employee of that business or has another, indirect interest but is designed to prevent the placing of Committee members in a position where their interest in the schools and their interest in their places

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of employment may conflict and to avoid appearances of conflict of interest.

**Appearance of Conflict of Interest**

A Committee member should do nothing to give the impression that his/her position or vote on an issue is influenced by anything other than a fair consideration of all sides of a question.

Committee members shall attempt to avoid the appearance of conflict of interest by disclosure and/or by abstention.

**Appointment to Office and Other Employment**

A Committee member may not, during the time the member serves on the Committee and for one year after the member ceases to serve on the Committee, be appointed to any civil office of profit or employment position which has been created or the compensation of which has been increased by action of the Committee during the time the member served on the Committee.

**Employment**

A member of the Committee or spouse of a member may not be an employee in a public school within the jurisdiction of the Committee to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

**Board Members as Volunteers**

A member of the School Committee, or spouse of a member, may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the Committee to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee.

Volunteer activities of a member of the Committee or member's spouse other than in roles that are prohibited by this section may be prescribed by policies developed and approved by the Board.

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**Definitions**

For the purposes of this policy, the following statutory definitions apply:

- A. “Employee” means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.
  
- B. “Volunteer” means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount.

Legal Reference: 20-A M.R.S.A. § 1002-1004  
20-A M.R.S.A. § 1315 (SADS’s)  
30-A M.R.S.A. § 2604-2606

Cross Reference: BCA-Board Member Code of Ethics

Adopted: **December 1, 2009**