

TOWN OF STRATTON  
SCHOOL DISTRICT

CODE B3  
Mandatory<sup>1</sup>

**POLICY: BOARD MEMBER CONFLICT OF INTEREST**

**Policy**

It is the ethical and legal duty of all Stratton School Board members to avoid conflicts of interest as well as the appearance of conflicts of interest.

**Definitions**

"Conflict of interest" means a situation when a board member's private interests, as distinguished from the board member's interest as a member of the general public, would benefit from or be harmed by his or her actions as a member of the board.

**Implementation**

In order to comply with the obligations thus imposed, the Board and its members will adhere to the following recommended standards.

1. A Board member will not give the impression that he or she would represent special interests or partisan politics for personal gain.
2. A Board member will not give the impression that he or she has the authority to make decisions or take action on behalf of the Board or the school administration.
3. A Board member will not use his or her position on the Board to promote personal financial interests or the financial interests of family members, friends or supporters.
4. A Board member will not solicit or accept anything of value in return for taking particular positions on matters before the Board.
5. A Board member will not give the impression that his or her position on any issue can be influenced by anything other than a fair presentation of all sides of the question.
6. Board members will be familiar with, and adhere to, those provisions of Vermont education law which define School Board powers and govern Board member compensation and public bidding processes.

**Avoiding Conflicts**

When a Board member becomes aware that he or she is in a position that creates a conflict of interest or the appearance of a conflict of interest as defined in state law or this policy, he or she will declare the nature and extent of the conflict or appearance of conflict for inclusion in the Board minutes, and will abstain from voting or participating in the discussion of the issue giving rise to the conflict.

**Complaints of Conflict of Interest**

When a conflict of interest claim against a Board member is brought to the Board in writing and is signed by another Board member or a member of the public, and the Board member against whom the claim is made does not concur that a conflict in fact exists, the following Board procedures will be followed.

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1. Upon a majority vote of the remaining Board members, or upon order of the chair, the Board will hold an informal hearing on the conflict of interest claim, giving both the Board member and the person bringing the claim an opportunity to be heard.
2. At the conclusion of the informal hearing, the remaining Board members will determine by majority vote whether to:
  - a. Issue a public finding that the conflict of interest charge is not supported by the evidence and is therefore dismissed;
  - b. Issue a public finding that the conflict of interest charge is supported by the evidence and that the member should disqualify him or herself from voting or otherwise participating in the Board deliberations or decision related to that issue, as required by Vermont statute; and/or
  - c. Issue a public finding that the conflict of interest charge is supported by the evidence and the Board member should be formally censured or subjected to such other action as may be allowed by law.

*Date Warned:*

*Date Adopted:*

*Legal Reference(s):* 16 V.S.A. § 262(d) (Election of officers)  
16 V.S.A. §557 (Gratuity/compensation prohibited)  
16 V.S.A. §558 (Eligibility for election to school board)  
16 V.S.A. §559 (Public bids)  
16 V.S.A. §563(20) (Powers of school boards)

*Cross Reference:*

<sup>1</sup> See 16 V.S.A. §563(20). "...establish policies and procedures designed to avoid the appearance of conflict of interest."

# School Board Code

This Code has been developed and recently revised by the Vermont School Boards Association to help school boards carry out the important education decision making role while maintaining effective relationships with school administrators, staff, and community members. Given the complexity of Vermont's education governance structure, nothing is more important than clarifying appropriate roles and responsibilities for the school board, superintendent, and principal(s).

A school board member has no legal powers unless participating at a legally warned school board meeting, or acting on behalf of the school board after the board formally grants authority to do so. Thus, it is essential that every school board member work as a member of the broader leadership team to perform board duties and act in a manner consistent with the Code.

*Board members can demonstrate personal commitment to the Code by signing this document signifying agreement to uphold the principles of the Code, both, in letter and spirit.*

Many school boards post a copy of the signed Code in the front entrance of the school(s). This public display of school leadership team commitment sends a powerful message and sets the tone for how the business of education will be conducted in the community.

As citizens of the United States, board members have certain Constitutional rights, including freedom of speech that cannot be taken away, whether or not you choose to sign this document. The only sections of this Code that require legal compliance are the "conflict of interest" and "act only as a member of the board." All other sections represent effective practice.

## **BOARD GOVERNANCE**

- Attend all regularly scheduled board meetings, insofar as possible, and review advance materials about the issues to be considered on each agenda.
- In consultation with the principal, teachers, and superintendent, set education goals for the school(s).
- Maintain confidentiality of information and discussion conducted in executive session.
- Review essential facts, consider others' ideas, and then present personal opinions during board deliberations but, once the board vote has been taken, support board decisions regardless of how individuals voted.
- Act only as a member of the board and do not assume any individual authority when the board is not in session, unless otherwise directed by the board.
- Rely on school policies that are continually updated and aligned with Vermont and federal education laws, and guidance from the superintendent, when making board decisions.
- Request recommendations from the superintendent and seek legal counsel, when required for full and informed board consideration of issues requiring legal expertise.
- Expect an equitable amount of board meeting time be spent both learning about educational programs and conducting the business of the board.
- Maintain a priority board focus on increasing student achievement and ensuring efficient use of education resources.
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**BOARD PREPARATION AND TRAINING**

- Be informed about educational issues through individual study and by participating in board development opportunities such as those sponsored by the Vermont and National School Boards Associations, the Vermont Department of Education, and other education organizations.
- Support new school board members by sharing your experience and knowledge.
- Ensure that adequate board orientation and team building opportunities are available for board members and administrators.
- Associate with board members from other school districts to discuss school problems and collaborate on school improvement initiatives.

*I agree to abide by the principles outlined in the School Board Code and will do everything in my power to work as a productive member of the leadership team.*

*Thomas Montemagne*  
Board Member

~~Board Member~~

*Lorinda M. Weeks-Newell*  
Board Member

~~Board Member~~

*Sister Edyburg*  
Board Member

1/21/2010  
Date