

Conflicts of Interest (Districts with 2,000 or more students)

Neither a school director nor a district officer (such as the superintendent) may benefit, directly or indirectly, in any contract made by, through, or under the director's or officer's supervision, except as permitted below:

- A. A director or officer may enter into a contract with the district to offer goods or services (except legal services) if the director or officer does not receive more than \$1,500 in any calendar month under the contract. The district will maintain a list of all contracts covered under this paragraph, and the list will be available for the public to inspect and copy.
- B. A director may be designated as clerk and/or purchasing agent of the district.
- C. The spouse of a director or officer may be employed as a substitute teacher on the same terms and at the same compensation as other substitute teachers in the district. For a director's or officer's spouse to be employed as a substitute teacher, the superintendent must find that the number of qualified substitute teachers in the district is insufficient to meet the district's anticipated needs, and the superintendent must ensure that substitute teachers are fairly and impartially assigned to available positions.
- D. If a director's or officer's spouse was employed by the district as a classified or certificated employee before the director or officer took office, the spouse's employment contract can be renewed. The terms of the contract must be commensurate with the pay plan or collective bargaining agreement operating in the district for that position.
- E. A director or officer may have a remote interest in a contract. The interest, though, must be disclosed prior to board action and must be recorded in the official minutes.

A director may not vote on the authorization, approval, or ratification of a contract in which he or she is beneficially interested and to which one of the exemptions described above applies. Before the board approves a contract in which a director is beneficially interested, the director must disclose his or her interest to the board, and the director's interest must be noted in the official minutes.

Before the board approves the employment of a director or a director's or an officer's spouse, the superintendent or designee will inform the board of other individuals who are qualified for and interested in the position(s) to be filled. The district will not discriminate in any way against any applicant for a position or employee based on a family relationship with a director or officer. All employment decisions will be made by choosing the applicant that furthers the best interests of the school district.

Whenever a director or his or her spouse is employed by the district, the director will refrain from participating in or attempting to influence any board action affecting the employment status of the director or his or her spouse. Actions affecting employment status include, but are not limited to, hiring, establishing compensation and fringe benefits, setting working conditions, conducting performance evaluations, and considering or imposing discipline and termination.

The superintendent will maintain a log of any contract subject to this policy and will annually, or when a new director assumes office, inform the board of the existence of those contracts.

Legal References: RCW 28A.405.250 Certificated employees, applicants for
certificated position, not to be discriminated against—Right to
inspect personnel file
RCW 28A.635.050 Certain corrupt practices of school officials
— Penalty
RCW 42.23.030 Interest in contracts prohibited - Exception
RCW 42.23.040 Remote Interests

Management Resources: 2022 - October Issue

Adoption Date:

Classification: **Encouraged**

Revised Dates: **08.99; 02.02; 12.11; 10.22; 01.23**