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## **A125 - NEPOTISM, CONFLICT OF INTEREST, GIFTS, AND USE OF CORPORATION RESOURCES**

The maintenance of exceedingly high standards of honesty, integrity, impartiality, and professional conduct by School Corporation employees, officers, and agents is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the School Corporation.

### **Nepotism**

The School Board believes that careful contemplation should be given to the implications of employing individuals who are related to the Corporation's policymaking and administrative personnel. Nepotism can complicate an employee/employer relationship in several, undesirable aspects. Although hiring of relatives is permissible under law, the Board expresses a concern that favoritism should have no influence in the hiring process.

While the District does not prohibit the employment of relatives of current District employees or Board members, it does require that serious and extensive consideration be given to concerns, problems, and consequences relating to such decisions. As a result, should the spouse, parent, adult child or adult child's spouse ("Candidate") of a Board Member, Superintendent or Assistant Superintendent, Principal or Assistant Principal apply for employment with the District, a Hiring Committee ("Committee") consisting of the following persons shall consider all those applying for the position and recommend the best person be hired by the School Board:

1. A Board Member, unrelated to the Candidate selected by the President or, if the Candidate is related to the President, the Vice President;
2. If the position is at a school, the Building Principal, so long as both the Building Principal and the Assistant Principal are unrelated to the candidate. If either is so related to the Candidate, the unrelated Building Principal with the longest term of service at Shelbyville Central Schools shall fill this role; and
3. The highest ranking Administrator not related to the Candidate.

However, under no circumstance shall the District employ an individual in a position which results in one relative being in the direct line of supervision of the other relative.

A "relative" is defined by relationships including those established by blood, marriage, or legal action. The term also includes individuals with whom the employee's life is interdependent and who share a common residence.

### **Conflict of Interest**

A conflict of interest occurs when a School Board member or employee knowingly or intentionally benefits financially from a contract with the District or a purchase made by the District.

Employees shall not engage in, or have a financial interest in (directly or indirectly), any activity that conflicts or raises a reasonable question of conflict with his or her responsibilities to the District.

Any employee who has reason to believe that he or she may have a conflict of interest is required to disclose the potential conflict.

Additionally, the School Board shall not knowingly approve a contract or purchase in which a Board member, District employee, or agent of the Board or their spouse or dependent profits or has a pecuniary interest unless the member, employee, or agent with the profit or pecuniary interest makes the required written disclosure, and the disclosure is approved by vote of the Board before the Board votes on the contract or purchase. For the purpose of this policy, the terms "pecuniary interest" and "profit" have the meaning given to those terms under Indiana law.

A Board member may participate in the discussion on the acceptance of their disclosure; however, a Board member must abstain during the vote on disclosure and on the contract or purchase addressed by their disclosure. A Board member with a stated conflict may be asked to leave the proceedings for that agenda item at the discretion of the President.

A District employee or agent of the Board may be called upon to contribute to or participate in the Board's discussion on the acceptance of a disclosure and the contract or purchase addressed by their disclosure.

### **Staff Gifts and Use of Corporation Resources**

Employees, officers, and agents of the Board shall not make use of materials, equipment, facilities, or any other resources of the School Corporation for any unauthorized purpose. In order to assure that Corporation assets are appropriately safeguarded, the Corporation will employ appropriate methods such as vehicle/equipment use logs.

Employees, officers, and agents of the Board shall not solicit gifts, travel packages, or other incentives from prospective contractors.

Employees, officers, and agents of the Board should not expect or accept gifts for carrying out the duties of his/her position.

Employees, officers, and agents of the Board shall not accept any form of compensation from vendors that might influence their recommendations on or raise a conflict of interest with respect with the District or a vendor with whom the District is doing business, whereby an individual professional staff member receives compensation in any form for services rendered.

Such compensation includes, but is not limited to cash, checks, stocks, or any other form of securities, and gifts such as electronic equipment, appliances, discount certificates, travel vouchers, tickets, passes, and other such things of more than nominal value. In the event that a staff member receives such compensation, albeit unsolicited, from a vendor, the professional staff member shall notify the Superintendent, in writing, that he or she received such compensation and the compensation has been returned to the vendor. In determining whether any such transaction is compensation for the purposes of this Policy, offers of meals shall be considered de minimis and expressly excluded from the definition of compensation.

If a staff member has provided an unusual amount of extra help for a student and the family would like to express appreciation, small non-monetary gifts may be accepted.

The Board acknowledges that gift giving to staff members as part of holiday celebrations is in keeping with the spirit of such celebrations and gift giving at the close of an academic year is traditional. In these circumstances, gifts other than money may be accepted; however, teachers should not open gift(s) in class or comment on item(s) in front of students.

The Superintendent shall develop such procedures as are necessary to provide appropriate safeguards in accordance with this policy, including the development of forms and procedures necessary to make any disclosures required under Indiana law.

I.C. 20-26-3-4

I.C. 20-26-5-4

I.C. 35-44.1-1-1, 35-44.1-1-2, 35-44.1-1-4, 35-44.1-1-5

I.C. 36-1-20.2

I.C. 36-1-21

2 C.F.R. 200.112, 200.113, 200.318

7 C.F.R. 3016.36(b)(3) and 3019.42

SBOA Uniform Compliance Guidelines Manual for Schools, Chapter 1

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