

## TRUSTEE CONFLICT OF INTEREST

Bonneville Joint School District No. 93 Board of Trustee members may not have a financial interest directly or indirectly in any contract or other transaction pertaining to the maintenance or conduct of the District, or accept any reward or compensation for services rendered as a Board member except as otherwise provided by law.

### Guidelines

A Trustee may not:

1. Accept any reward or compensation for services rendered as a Trustee except as expressly provided by law;
2. Accept and award contracts involving the District to businesses in which a Trustee or person related to him/her by blood or marriage within the second degree has a direct or indirect interest except when the procedures set forth in Idaho Code §§ 18-1361 or 18-1361A are followed;
3. Enter into a contract in the Trustee's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;
4. Be a purchaser or vendor at any sale or purchase made by the Trustee in the Trustee's official capacity;
5. Use public funds or property to obtain a pecuniary benefit for himself/herself;
6. Solicit, accept or receive a pecuniary benefit as payment for services, advice, assistance or conduct customarily exercised in the course of the Trustee's official business;
7. Use or disclose confidential information gained in the course of or by reason of the Trustee's official position or activities in any manner with the intent to obtain a pecuniary benefit for the Trustee or any other person or entity in whose welfare the Trustee is interested or with the intent to harm the District;
8. Be involved in the employment of a relative related by affinity or consanguinity within the second degree and shall be absent from the meeting while such employment is being considered and/or determined;
9. Employ the spouse of a trustee when such employment requires or will require the payment or delivery of any school District funds, money, or property to such spouse except when the procedures set forth in Idaho Code § 33-507(3) are followed;

- 10. Appoint or vote for the appointment of any person related to him by blood or marriage within the second degree to any clerkship, office, position, employment or duty, when the salary, wages, pay or compensation of such appointee is to be paid out of public funds or fees of office, or appointment or furnish employment to any person whose salary, wages, pay or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment; or
- 11. Use the Trustee’s official power to further the Trustee’s own interests
- 12. Have a pecuniary interest directly or indirectly (except a remote interest) in any contract or other transaction pertaining to the maintenance or conduct of the School District.

**DEFINITIONS**

**Relation by blood within the second degree:** includes grandparents and grandchildren. Laterally, it includes brothers and sisters.

**Remote Interest:**

- 1. The Trustee is a non-salaried employee of a nonprofit corporation; or
- 2. The Trustee is an employee or agent of a contracting party where the compensation of the Trustee as an employee or agent consists entirely of fixed wages or salary; or
- 3. The Trustee is a landlord or tenant of a contracting party; or
- 4. The Trustee is a holder of less than one percent (1%) of the shares of a corporation or cooperative a contracting party; and
- 5. The Trustee discloses such remote interest to the Board of Trustees.

Adopted: 03-09-2005 Reviewed: 08-08-2012 Revised: 02-11-2015  
01-17-2018  
03-11-2020

Legal Reference: Idaho Code § 33-507 Limitation upon authority of Trustees  
Idaho Code § 18-1359 Using public position for personal gain  
Idaho Code § 18-1361 Self-interest contracts - Exception  
Idaho Code § 18-1361A Non-compensated Appointed Public Servant – Relative of Public Servant – Exceptions  
Idaho Code § 74-501 Officers Not to be Interested in Contracts  
Idaho Code § 74-502 Remote Interests  
Idaho Code § 74-503 Officers Not to be Interested in Sales