

Section: Personnel

Title: Staff Conflict of Interest

Number: GBCA – Critical

Legal Refs: §§ 105.450 - .458, .462, .466 - .467, .472, 168.126, 171.181,
RSMo.

Adopted:

The Park Hill School District ~~Employees of the Board~~ will not engage in any activity ~~that~~ **which** raises a reasonable question of conflict of interest with their duties and responsibilities as members of the **Park Hill School District** staff and may be disciplined or terminated for doing so. For the purposes of this policy, a "business with which a person is associated" means:

1. A sole proprietorship owned by the employee, his or her spouse or dependent children in the person's custody.
2. A partnership or joint venture in which the employee or spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the employee is an officer or director or of which the employee, spouse or dependent children in the employee's custody, whether singularly or collectively, own more than ten (10) percent of the outstanding shares of any class of stock or partnership units.
3. Any trust in which the employee is the settlor or trustee, or in which the employee, spouse or dependent children, singularly or collectively, are beneficiaries or holders of a reversionary interest of ten (10) percent or more of the corpus of the trust.

The following activities are explicitly prohibited:

1. In accordance with law, employees or businesses with which they are associated are prohibited from selling or providing to the district personal property, including goods and supplies.
2. Employees will not participate in any manner, directly or indirectly, in which the employee attempts to influence any decision of the district when the employee knows the result of the decision may be the acceptance of the performance of a service or the sale, rental or lease of any property to the district and the employee, his or her spouse, dependent children in his or her custody or any business with which the employee is associated will benefit financially.
3. An employee will not use his or her position with the district to influence purchases made by students or their parents/guardians resulting in the financial gain of the employee, the employee's spouse, the dependent

children of the employee or businesses with which the employee is associated unless authorized by the Board of Education.

4. An employee will not trademark, patent, copyright or claim ownership interest in any inventions, publications, ideas, processes, compositions, programs, images or other intellectual property created by the employee in their capacity as an employee of the district, unless authorized by the Board of Education. The district will not pay royalties, licensing fees or other fees for use of intellectual property an employee creates in his or her capacity as an employee of the district to the employee or businesses with which the employee is associated, unless authorized by the Board of Education.
5. An employee will not receive compensation other than the compensation received from the district for tutoring students currently enrolled in a class the employee teaches unless authorized by the Board of Education. Any private tutoring of students for a fee on district property is subject to facility usage policies and procedures.
6. Employees will not accept gifts of substantial value from vendors, students or parents unless authorized by the Board of Education.
7. Employees will not use district property, including the district's intellectual property, or confidential information obtained in their capacity as employees of the district to financially benefit themselves or any other person or business unless authorized by the Board of Education.

Administrative or Executive Employees

In addition to the above-listed requirements, the following restrictions apply to all administrative or executive employees in the school district, in accordance with law. Administrative or executive employees of the district may:

1. Provide services to the district as independent contractors, in addition to the compensation provided for the performance of their official duties. If the compensation for such services exceeds \$500 per transaction or \$5,000 per year, the district must first give public notice and competitively bid the services, and the district employee's bid must be the lowest received.
2. Sell, rent or lease real estate to the district. Public notice of the transaction must be given prior to execution if the payment the employee receives exceeds \$500 per transaction or \$5,000 per year.
3. Not receive compensation or payment for services from any person, firm or corporation, other than the compensation provided by the district for the performance of their official duties, to attempt to influence a decision by the district.

4. Not perform any service for compensation by which they attempt to influence a decision of the district for one (1) year after the termination of their employment with the district.

Authorization from the Board

In several instances in this policy, an employee may seek authorization from the Board to engage in certain acts. The Board directs the Superintendent or his/her designee to prepare an administrative regulation to accompany this policy, wherein the process is outlined for the employee to obtain Board authorization as described herein. That process may include the following:

1. initial authority may be granted to an employer by designated administrative personnel, with an option for the affected employee to file an appeal of the administrative decision to the Board of Education; and
2. clarification that, absent extraordinary circumstances and/or a specific directive to the contrary, a staff member maintain and/or sharing a copy of employee-created (but district-owned) materials, so long as the employee does not financially benefit, directly or indirectly, there from.

~~Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure
DA, Fiscal Responsibility
DJF, Purchasing
DN, Surplus School Property
KG, Community Use of School Facilities~~

Park Hill School District, Platte County, MO