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**COMMITTEE MEMBER CONFLICT OF INTEREST**

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School Committee service is a matter of public trust. In making decisions that affect Bangor School Department schools, School Committee members have the duty to act in the interest of the common good and for the benefit of the people they represent.

A conflict of interest may arise when there is an incompatibility between a School Committee member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the School Committee. School Committee members have a legal and ethical responsibility to avoid not only conflict of interest, but the appearance of conflict of interest as well.

A School Committee member shall not have any direct or indirect pecuniary interest (as defined by law) in a contract with the school unit, nor shall he/she furnish directly any labor, equipment, or supplies to the unit as described in Chapter 23 of the Bangor Code of Ethics.

In the event that a School Committee member is employed by a corporation or business, or has a financial or immediate family interest in a corporation or business which furnishes goods or services to the schools, the committee member shall declare his/her interest and refrain from debating or voting upon the question of contracting with the company.

A School Committee member has financial interest in a question or contract under consideration when he/she or a member of his/her immediate family may derive some financial or other material benefit or loss as a result of the School Committee action. The vote on the committee is voidable if the committee member has a financial interest and votes on that question or is involved in the discussion, negotiation, or award of a contract or other action in which he/she has a financial interest.

In order to prevent the vote on a question or contract from being voidable, a committee member who has a financial interest must:

- A. Make full disclosure of his/her interest before any action is taken; and
- B. Abstain from voting, from the negotiation or award of the contract and from otherwise attempting to influence the decision.

The Secretary of the School Committee shall record in the minutes of the meeting the member's disclosure and abstention from taking part in the decision in which he/she has an interest.

It is not the intent of this policy to prevent the school unit from contracting with corporations or businesses because a committee member is an employee of the firm. The policy is designed to prevent the placing of committee members in a position where their interest in public schools and their interest in their places of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

When a committee member participates in the selection, award, or administration of a contract that is supported by a federal award, the committee member shall also comply with the School Committee policy DJH – Purchasing and Contracting: Procurement Staff Code of Conduct.

A committee member may not, during the time the member serves on the committee and for one year after the member ceases to serve on the committee, be appointed to any civil office of profit or



employment position which has been created or the compensation of which has been increased by the action of the committee during the time the member serves on the committee.

A member of the committee, or spouse of a member, may not be an employee in a public school within the jurisdiction of the committee.

A member of the committee, or spouse of a member, may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular, or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director, or other school administrator in a public school within the jurisdiction of the Committee.

Volunteer activities of a member of the committee or member's spouse, other than in roles that are prohibited by this section, may be prescribed by policies or regulations developed and approved by the committee.

To the extent that it applies to the Bangor School Committee, the Code of the City of Bangor, Chapter 33 entitled Code of Ethics, shall be considered to be part of this policy. This ordinance promotes the objective of protecting the integrity of the government of the City of Bangor against actual or reasonably perceived conflicts of interest without creating unnecessary barriers to public service.

Upon election school committee members shall be required to complete the disclosure statement of the City of Bangor, and standing members are expected to periodically update their disclosure statement.

For the purposes of this policy, the following statutory definitions apply:

- A. "Employee" means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.
- B. "Stipend employee" means a person who receives limited monetary payment of benefits, through a series of payments or in a lump sum for personal services performed in an advisory, mentoring, or coaching capacity for a school administrative unit.
- C. "Volunteer" means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount.
- D. Immediate family includes spouse and when living in the household of a School Committee Member or school department employee: brother, sister, parent, son, daughter, or domestic partner.

Legal Reference: 17 MRSA § 3104  
20-A MRSA §§ 1002 et seq.; 1051  
30-A MRSA §§ 2251; 2604 et seq.

Other References: Code of the City of Bangor, v32 Updated 08-15-2006, Part I, Chapter 33, Code of Ethics  
Code of the City of Bangor, v32 Updated 08-15-2006, Part I, Chapter 33, Article II, Code of Ethics, 3-12. Disclosure Statement

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