

Conflict of Interest

A Trustee may not:

- Engage in a substantial financial transaction for the Trustee's private business purpose, with a person whom the Trustee inspects or supervises in the course of official duties.
- Perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the Trustee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.
- Act as an agent or solicitor in the sale or supply of goods or services to a district.
- Have a pecuniary interest, directly or indirectly, in any contract made by the Board, when the Trustee has more than a ten percent (10%) interest in the corporation. A contract does not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments or deposits in financial institutions that are in the business of loaning or receiving money, when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one (1) financial institution in the community; or 3) contracts for professional services other than salaried services or for maintenance or repair services or supplies when the services or supplies are not reasonably available from other sources, if the interest of any Board member and a determination of such lack of availability are entered in the minutes of the Board meeting at which the contract is considered.
- Perform an official act directly and substantially affecting a business or undertaking to its economic detriment a business or other undertaking in which the trustee has a substantial personal interest in a competing firm or undertaking;
- Be employed in any capacity by the District, with the exception of officiating at athletic competitions under the auspices of the Montana Officials Association.
- Appoint to a position of trust or emolument any person related or connected by consanguinity within the fourth (4th) degree or by affinity within the second (2 nd) degree.
 - This prohibition does not apply to the issuance of an employment contract to a person as a substitute teacher who is not employed as a substitute teacher for more than thirty-five (35) consecutive school days.
 - This prohibition does not apply to the renewal of an employment contract of a person related to a Board member, who was initially hired before the Board member assumed the Trustee position.
 - This prohibition does not apply if Trustees comply with the following requirements: 1) All Trustees, except the Trustee related to the person to be employed or appointed, vote to employ the related person; 2) the Trustee related to the person to be employed abstains from voting; and 3) the Trustees give fifteen (15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Poplar School District

THE BOARD OF TRUSTEES

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Legal References:	§ 2-2-105, MCA	Ethical Requirements for Public Officers and Public Employees
	§ 2-2-121, MCA	Rules of Conduct for Public Officers and Public Employees
	§ 20-9-204, MCA	Conflict of interest
	§ 20-1-201, MCA	School officers not to act as agents
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.

Policy History:

Adopted on:

Revised on: 11 July 2016
09 September 2019