

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

The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by West Lafayette Community 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 policy making 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 Corporation does not prohibit the employment of relatives of current Corporation employees or Board members, it does require that serious and extensive consideration be given to concerns, problems, and consequences relating to such decisions. However, the Corporation shall not employ an individual in a position which results in one (1) relative being in the direct line of supervision of the other relative.

For purposes of this policy, a "relative" is defined as:

- (1) The employee's spouse
- (2) A parent of the employee or a parent of the employee's spouse
- (3) A child of the employee or a child of the employee's spouse
- (4) A sibling of the employee or a sibling of the employee's spouse
- (5) An aunt or uncle of the employee or an aunt or uncle of the employee's spouse
- (6) A niece or nephew of the employee or a niece or nephew of the employee's spouse
- (7) A grandparent of the employee or a grandparent of the employee's spouse
- (8) A grandchild of the employee or a grandchild of the employee's spouse
- (9) A great-grandparent of the employee or a great-grandparent of the employee's spouse
- (10) A great-grandchild of the employee or a great-grandchild of the employee's spouse
- (11) A stepparent of the employee or the employee's spouse
- (12) A step-grandparent of the employee or the employee's spouse
- (13) A stepsibling of the employee or the employee's spouse
- (14) A cousin of the employee or a cousin of the employee's spouse

### **Conflict of Interest**

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

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 Corporation.

#### **Policy Committee Proposed Revision to paragraph 6:**

Any employee who has reason to believe that he or she may have a conflict of interest is required to disclose the potential conflict. **Any School Board member who believes they may have a potential conflict of interest must disclose the potential conflict, annually in January, using the disclosure form found here.**

#### **Board Member Proposed Revision to paragraph 6:**

~~Any employee who has reason to believe that he or she may have a conflict of interest is required to disclose the potential conflict.~~ **Any School Board member or employee who believes they may have a potential conflict of interest must disclose the potential conflict annually in January using the disclosure form found here.**

The School Board shall not knowingly approve a contract or purchase in which a Board member, Corporation 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 will abstain during the vote on disclosure and the contract or purchase addressed by their disclosure.

A Corporation 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 to the purchase of equipment, supplies, or services. In addition, staff members who recommend

purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the Corporation or a vendor with whom the Corporation 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 s/he received such compensation and the compensation has been returned to the vendor.

**Policy Committee Proposed Revision to paragraph 15:**

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

**Policy Committee Proposed Revision to paragraph 16:**

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, **nominal** 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. 31-9-2-107

I.C. 2-2.2-1-17

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

West Lafayette Community School Corporation

Adopted: [date]

Revised: [date]

Replaces NEOLA policies: 1130, 1214, 3214, 4113, 4214, 6460, 7230