

Policy 3012: Conflicts of Interest

The Board of Education is committed to avoiding any situation in which the existence of simultaneous, conflicting interests in any officer; or employee may call into question the Integrity of the management or operation of the school district. Therefore:

It is a conflict of Interest for a Board member, officer or employee to benefit personally from contracts made in their official capacity.

No Board member, officer or employee shall have an "*Interest*" (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. A firm, partnership or association in which he/she is a member or employee;
2. A corporation in which he/she is an officer, director or employee;
3. A corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
4. A contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent or a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

No Board member or person employed by the district shall endorse any product of any type or kind in such a manner as will identify him or her in any way as an employee of the district. No Board member or person employed by the district shall allow any matter, relationship, concern or interest, personal, financial or

otherwise, to influence or interfere with the performance of his or her duties. Should such a matter, relationship, concern or interest arise, the employee shall bring the matter to the attention of his or her supervisor to seek ways to eliminate the influence or interference.

The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest.

Nepotism

The efficient functioning and effective administration of the Chappaqua Central School District is a priority of the Board of Education. The Board endeavors to employ the best available candidate when vacancies occur; moreover, it is the intention of the Board to prevent personal relationships from influencing the professional activities of the School District's staff. Nepotism is defined as favoritism in the appointment, hiring, supervision, promotion or other employment conditions of individuals based on those related by blood or marriage, membership in the same household, including domestic partners, or persons with whom employees have an intimate relationship.

To the extent permitted by law, it is the policy of the Chappaqua Central School District that it will hire the most qualified candidate without giving any weight to and/or being influenced by whether the candidate has a familial relationship, domestic partnership or is engaged in a significant relationship with a current School District employee. In those instances where the School District hires a qualified candidate, who also happens to be related to a current School District employee, under no circumstances should those employees be placed in a supervisor-employee role. Additionally, to the extent possible, related employees should not be placed in the same building or program if there is an actual or

perceived conflict of interest. The foregoing will also apply to those employees who marry a colleague during his/her employment with the District, to the extent not prohibited by collective bargaining agreements.

Volunteers

The Board of Education recognizes and values the participation of the many volunteers who generously contribute their time and expertise to ensure the success of programs and activities that enrich the student experience. The Board of Education encourages such participation contributing to the academic and personal growth of our students while safeguarding their well-being.

The purpose of this policy is to address potential conflicts of interests or the appearance of potential conflicts of interests to ensure confidence in the integrity of school district programs and to ensure best practices for accountability and transparency. The presence of potential conflicts of interests does not imply an occurrence or likelihood of impropriety.

There are certain instances where it may be necessary to limit the extent of volunteer participation in school based programs to avoid potential conflicts of interest or the appearance of such potential conflicts.

To that end, volunteers shall not be placed in any position that involves all of the following criteria:

1. The activity is part of a school district program;
2. The volunteer's own child is a participant in the group in question, and
3. The role of the volunteer would involve decision-making related to the ability or extent of participation of students, student-performers or

student-athletes in that program, or the grading or assessment of students, student performers or student-athletes in that program (i.e. a coach or assistant coach of a team on which that parent's child is a member, or the choosing of cast members of a school district play for which that parent's child is auditioning).

The Superintendent of Schools shall have the authority to make exceptions to the rules pertaining to volunteers on a case-by-case basis.

Tutoring and Coaching

In order to protect the school district and its employees from charges of conflict of interest when tutoring is provided, the Board adopts the following rules to be followed whenever district employees tutor, including providing educational or related services to students enrolled in the District outside of the school day for compensation:

- No employee may tutor or coach, for compensation, a student currently in his or her class or program; or on his or her team.
- An employee who tutors a student enrolled in the school(s) in which s/he works must notify the principal of the school(s) about the tutoring. A District coach who is associated with an outside sporting program in which District students may participate shall provide notice of such relationship to the Athletic Director.
- No employee shall utilize any property of the District in conducting private tutoring or coaching.

- Tutoring or coaching for compensation may not occur on school grounds at any time and may not occur during the employee's contractual workday.
- District parents or students may not be solicited during school hours, on school grounds or through district resources for tutoring or coaching services.
- Tutoring as used in this policy shall also apply to the provision of music or instrumental instruction and related services such as counseling, speech, physical therapy, occupational therapy, etc.
- Such rules shall not apply when an employee is providing services in accordance with District authorized homebound instruction.

Disclosure Requirements

Officers and employees must publicly disclose the nature and extent of any non-expected interest they, their spouse, minor child or dependent(s) have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is an exception exempted under [General Municipal Law §802](#); however, officers and employees are encouraged to voluntarily make such disclosure.

If a board member is legally permitted to vote on a matter, but the matter is subject to disclosure by statute, or if the board member chooses to voluntarily disclose an expected interest, the affected board member may request to be the last member called to vote on such matter.

Board members, officers or employees are prohibited from disclosing confidential information, as described in statute or in common law, acquired by them in the course of their official duties (see Confidentiality).

Adopted by Board of Education: April 13, 2016

Revised: December 5, 2016

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