

CONFLICT OF INTEREST

Board service is a matter of public trust. In making decisions that affect the RSU 16 schools, Board 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 Board member's personal interest and their responsibilities as an elected official in a matter proposed or pending before the Board. Board members have a legal and ethical responsibility to avoid not only conflict of interest, but the appearance of conflict of interest as well.

Financial Interest

A Board member has a financial interest in a question or contract under consideration when they or a member of their immediate family may derive some financial or other material benefit or loss as a result of the Board action. The vote of the Board is voidable if a Board 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 the Board member has a financial interest.

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

- A. Make full disclosure of their 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 Board shall record in the minutes of the meeting the member's disclosure and abstention from taking part in the decision in which that Board member has an interest.

It is not the intent of this policy to prevent a Board member from voting or RSU 16 from contracting with a business because a Board member is an employee of that business or has another, indirect interest but is designed to prevent the placing of Board members in a position where their interest in the schools and their interest in their places of employment may conflict and to avoid appearances of conflict of interest.

Code of Conduct for Federally Funded Projects

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

Appearance of Conflict of Interest

A Board member should do nothing to give the impression that their position or a vote on an issue is influenced by anything other than a fair consideration of all sides of a question. Board members shall attempt to avoid the appearance of conflict of interest by disclosure and/or by abstention.

Appointment to Office and Other Employment

A Board member may not, during the time the member serves on the Board and for one year after the member ceases to serve on the Board, be appointed to any civil office of profit or employment position which has been created or the compensation of which has been increased by action of the Board during the time the member served on the Board.

RSU 16 (Mechanic Falls, Minot, Poland)^{msm}√

Policy Code: BCB

Adopted: November 2012

Revised: ~~November 2017~~ May 2022

Employment

A member of the Board or immediate family member may not be an employee in a public school within the jurisdiction of the Board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

As permitted by 20-A MRSA §1002(2)(A), and in compliance with the Board's policy BCC–Nepotism, an immediate family member of a Board member may be permitted to serve as a stipend employee on a contractual basis when this action in the best interest of students and a summation of potential conflicts of interests is documented and mitigations are described in the signed contract. This exception is for the 2021-2022, 2022-2023, and 2023-2024 school years only. 20-A MRSA §1002(2)(A) “sunsets” July 1, 2024 unless extended by the Maine Legislature.

Board Members as Volunteers

A member of the Board, or immediate family 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 Board to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee.

Volunteer activities of a member of the Board or immediate family member, other than in roles that are prohibited by this section, may be prescribed by policies developed and approved by the Board.

For the 2021-2022, 2022-2023, and 2023-2024 school years, as permitted by 20-A MRSA §1002(2-B) and the Board's policy BCC – Nepotism, an immediate family member of a Board member may be permitted to serve as a volunteer in any capacity, the same as other school volunteers. 20-A MRSA §1002(2-B) “sunsets” July 1, 2024 unless extended by the Maine Legislature.

Definitions

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.

Legal Reference: 20-A M.R.S.A. § 1002-1004
20-A M.R.S.A. § 1315 (SADs)
30-A M.R.S.A. § 2604-2606

Cross Reference: BCA - Board Member Code of Ethics
BCC - Nepotism
DJH - Purchasing & Contracting: Procurement Staff Code of Conduct

RSU 16 (Mechanic Falls, Minot, Poland)msm✓

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SIGNATURE BLOCK:

RSU 16 School Board



Mary Martin, Chair

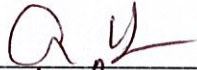
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DATE

Joe Parent, Vice Chair

DATE

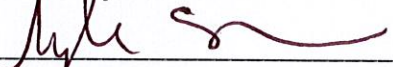
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DATE



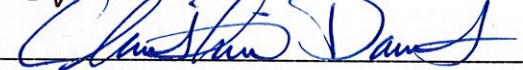
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5-9-22
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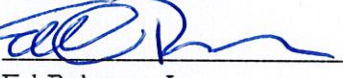
Angela Swenson

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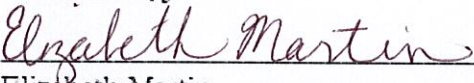
Christine Downs

05/09/2022
DATE



Ed Rabasco, Jr.

5-9-22
DATE



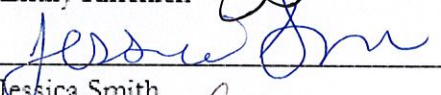
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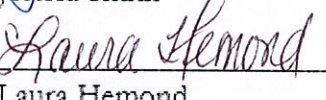
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5/9/22
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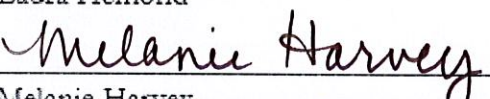
Jessica Smith

5.9.2022
DATE



Laura Hemond

5-9-22
DATE




Melanie Harvey

05-09-2022
DATE



Mike Downing

9 May 22
DATE



Patrick Irish

5/9/22
DATE



Steve Holbrook

5-9-22
DATE