

<p style="text-align: center;">TUCSON UNIFIED SCHOOL DISTRICT</p> <p style="text-align: center;">GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Board Member Conflict of Interest</p>
	<p>POLICY CODE: BCB</p>

Voting Restrictions

Notwithstanding any other provision of law, a Governing Board member shall be eligible to vote on any budgetary, personnel, or other question that comes before the Board, except that it shall be unlawful for a member to vote on a specific item that concerns the appointment, employment, or remuneration of such member or any person related to such member as a dependent as defined in A.R.S. §43-1001. [\[LEGAL REF.: A.R.S. §15-323\]](#)

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Employment Limitation

No dependent, as defined in §43-1001, of a Governing Board member may be employed in the District, except by consent of the Board. [\[LEGAL REF.: A.R.S. §15-502\]](#)

No employee of the District or the spouse of such employee may hold membership on the Governing Board of the District. [\[LEGAL REF.: A.R.S. §15-421\]](#)

Conflict of Interest

Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase. [\[LEGAL REF.: A.R.S. §38-503\]](#).

[Any Board member or employee of the District who has, or whose relative has, a substantial interest in any decision of the District shall make known such interest in the official records of the District and shall refrain from participating in any manner as a Board member or employee in such a decision. \[LEGAL REF.: A.R.S. §38-503\].](#)

Commented [LM1]: Language from ASBA model not in current policy.

["Refrain from participating in any manner" means more than just refraining from making a final decision. It means participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or](#)

Commented [LM2]: New language recommended, policy advisory 625.

Purchases from a Board Member

otherwise communicate in any manner with anyone involved in the decision-making process.

School district procurement rules are required for all purchases of service from Governing Board members, regardless of the dollar amount. Purchases for services may only be made after public competitive bidding.

Commented [LM3]: Substituted old language for ASBA model, which differentiates between services and supplies/materials – the old language does not.

Purchases of supplies, materials, and equipment are subject to the following:

- A. Purchase for supplies, materials, and equipment are limited to three hundred dollars (\$300) per transaction;
- B. Total purchases within any twelve (12) month period are limited to one thousand dollars (\$1,000);
- C. The purchases comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations;
- D. The Board has, by majority vote, adopted or reconfirmed a policy authorizing such purchases within the preceding twelve (12) month period.

[LEGAL REF.: A.R.S. §38-503; §15-323; A.G.O. I84-012; I06-002]

Pursuant to an award or contract let after public competitive bidding, the Governing Board may make purchases from a Board member if all of the following conditions are satisfied:

- ~~• The transaction does not exceed three hundred dollars (\$300).~~
- ~~• The total purchases from any Board member by the Board within any twelve (12) month period do not exceed one thousand dollars (\$1,000).~~
- ~~• The Board has, by majority vote, approved or reapproved a policy authorizing such purchases within the preceding twelve (12) month period.~~

Filing of Disclosure

The District shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to the statutory conflict-of-interest provisions. [LEGAL REF.: A.R.S. §38-509].

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Adopted: October 19, 1976
Revised: August 19, 1980
Readopted: January 15, 1985
Readopted: January 7, 1986
Readopted: January 6, 1987
Readopted: January 5, 1988
Readopted: January 3, 1989
Readopted: January 9, 1990
Readopted: January 8, 1991
Readopted: January 7, 1992
Readopted: January 5, 1993
Readopted: January 4, 1994
Readopted: January 3, 1995
Readopted: January 9, 1996
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Readopted: January 6, 1998
Readopted: January 5, 1999
Readopted: January 4, 2000
Revised: September 9, 2008 [format only]
Revised: May 26, 2009
Reviewed: May 28, 2013 [legal references added]
Revised: _____

LEGAL REF.:

A.R.S. §:
15-213
15-323
15-421
15-502
38-481
38-503
38-509
43-1001

A.G.O.
184-012
187-035
188-013
106-002

[Attorney General Arizona Agency Handbook, Appendix 8.1, Conflict of Interest Disclosure Memorandum](#)

CROSS REF:

BCB – Board Member Conflict of Interest --

BCB-E – Board Member Conflict of Interest Exhibit
DJE – Bidding/Purchasing Procedures
GBEAA – Staff Conflict of Interest Policy
GBEAA-E – Staff Conflict of Interest Exhibit

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