

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>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]

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].

“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 otherwise communicate in any manner with anyone involved in the

decision-making process.

Purchases from a Board Member

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.

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. 184-012; 106-002]

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].

- 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
Readopted: January 15, 1997
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: April 23, 2019

LEGAL REF.:

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

A.G.O.
I84-012
I87-035
I88-013
I06-002

Attorney General Arizona Agency Handbook, Appendix 8.1, Conflict of Interest Disclosure Memorandum

CROSS REF:

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