

Staff Ethics/Conflict of Interest

No district employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his or her duties and responsibilities in the school district. Employees are expected to perform the duties of the position to which they are assigned and to observe rules of conduct and ethical principles established by state law and district policies and regulations.

It shall be understood that all confidential information an employee is privy to as a result of district employment shall be kept strictly confidential. In addition, employees shall not utilize information solely available to them through school sources to engage in any type of work outside of the school district. This includes information concerning potential customers, clients or employers.

An employee shall not sell any books, instructional supplies, musical instruments, equipment or other school supplies to any student or to the parents/guardians of a student who attends the school served by the employee unless prior approval has been obtained from the Board.

Moreover, to avoid a conflict of interest, the district prohibits an employee from exercising supervisory, appointment, dismissal authority or disciplinary action} over a member of the employee's immediate family. For purposes of this policy, an employee's "immediate family" means a person who is related by blood, marriage, civil union, or adoption. In addition, an employee may not audit, verify, receive or be entrusted with moneys received or handled by a member of the employee's family. An employee shall not have access to the district's confidential information concerning a member of the employee's immediate family, including payroll and personnel records.

If a district employee becomes aware that the hiring of any candidate for employment by the district would result in a violation of this policy, such employee is required to disclose the nature of the relationship between the candidate and any existing employee of the district to the superintendent prior to the employee's hiring.

In the event a conflict of interest exists with the superintendent, the Board shall determine whether or not the situation can be allowed and if so what specific alternative arrangements will be made to eliminate the conflict of interest.

Conflicts of interest - federally funded transactions

Separate from state law and the Board's policies concerning district employees' standards of conduct and conflict of interest, federal law imposes restrictions on the conduct of district employees whenever the transaction in question is supported by federal funds subject to the Uniform Grant Guidance (UGG).

Under the UGG, a district employee shall not participate in the selection, award or administration of a contract supported by a federal award if the employee has a conflict of interest as defined by the UGG.

A conflict of interest arises under the UGG when the employee, any member of his or her immediate family, his or her business partner, or an organization which employs or is about to employ any of the aforementioned parties has a substantial financial or other interest in or would obtain a substantial tangible personal benefit from a firm considered for a contract.

In addition, the UGG prohibits district employees from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or parties to subcontracts that are federally funded, unless the gift is an unsolicited item of nominal value.

In determining whether a financial or other interest is “substantial,” or whether anything solicited or accepted for private benefit is of “nominal value,” district employees shall follow the standards of conduct and corresponding definitions applicable to local government employees under state law.

These minimum federal requirements are not waivable in connection with any transaction or contract to which they apply.

An employee who violates the standards of conduct set forth in this policy’s section may be subject to disciplinary action, in accordance with applicable law and Board policy.

If a potential conflict of interest situation occurs, additional support resources will be identified to provide supervision authority wherever it might occur in the chain of command. This may include additional administrators, internally within the district or externally from surrounding districts, should the need arise.

Adopted: July 13, 2011

Reviewed: July 19, 2017

Revised and recoded by the Board: July 17, 2019

Revised: October 26, 2022

LEGAL REFS.: 2 C.F.R. 200.318(c) (*Uniform Grant Guidance – written standards of conduct covering conflicts of interest required concerning the selection, award and administration of contracts supported by federal funds*)

Constitution of Colorado, Article X, Section 13 (*felony to make a profit on public funds*)

C.R.S. 2-4-401 (*definition of immediate family*)

C.R.S. 14-15-101 *et seq.* (*Colorado Civil Union Act*)

C.R.S. 22-63-204 (*teachers receiving money for items sold to students/parents without written consent from Board*)

C.R.S. 24-18-109 (*government rules of conduct*)

C.R.S. 24-18-110 (*voluntary disclosure*)

C.R.S. 24-18-201 (*standards of conduct – interests in contracts*)

C.R.S. 24-18-202 (*standards of conduct – interests in sales*)

C.R.S. 24-34-402 (1) (*discriminatory and unfair employment practices*)

C.R.S. 24-34-402 (1)(h) (*nepotism provisions*)

CROSS REFS.:

Board policy:

EL-12, Staff Treatment

Administrative policies:

DKC, Expense Authorization/Reimbursement (Mileage and Travel)
GBEB, Staff Conduct (And Responsibilities)
GBDA, Board-Staff Meet and Confer
GCE/GCF, Professional Staff Recruiting/Hiring
GCQF, Discipline, Suspension and Dismissal of Professional Staff (And
Contract Nonrenewal)
GDE/GDF, Classified Staff Recruiting/Hiring
GDQD, Discipline, Suspension and Dismissal of Classified Staff

Staff Ethics/Conflict of Interest

According to the Colorado Revised Statutes 24-18-105, the following ethical principles for school district employees "are intended as guides to conduct and do not constitute violations as such of the public trust of office or employment..."

1. An employee "should not acquire or hold an interest in any business or undertaking which the employee has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which the employee has substantive authority."
2. An employee "should not, within six months following the termination of employment, obtain employment in which the employee will take direct advantage, unavailable to others, of matters with which the employee was directly involved during the employee's term of employment. These matters include rules, other than rules of general application, which the employee actively helped to formulate and applications, claims or contested cases in the consideration of which the employee was an active participant."
3. An employee "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the employee has a substantial financial interest in a competing firm or undertaking."
4. An employee is discouraged "from assisting or enabling members of the employee's immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom the employee is in a position to reward with official action or has rewarded with official action in the past."

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