

# PROPOSED REVISION



1610  
Page 1 of 3

## THE BOARD OF DIRECTORS

### Conflicts of Interest

Except where expressly permitted by law, individual members of the board of directors and a district officer (such as the superintendent) shall not have any beneficial interest, directly or indirectly, in any contract made by, through, or under the director's or officer's supervision; ~~purchase of materials or activity paid for from school funds.~~

A director or officer may enter into a contract with the district to offer goods or services (except legal services) if the director or officer does not receive more than \$1,500 in any calendar month under the contract. The district will maintain a list of all contracts covered under this paragraph, and the list will be available for the public to inspect and copy.

A director may be designated as clerk and/or purchasing agent of the district.

The spouse or state registered domestic partner of a director or officer may be employed as a substitute teacher on the same terms and at the same compensation as other substitute teachers in the district. For a director's or officer's spouse or state registered domestic partner to be employed as a substitute teacher, the superintendent must find that the number of qualified substitute teachers in the district is insufficient to meet the district's anticipated needs, and the superintendent must ensure that substitute teachers are fairly and impartially assigned to available positions.

~~No person shall be employed by the district who is the spouse, state registered domestic partner, or dependent of any member of the board of directors unless the employee was under contract with the district prior to the date in which the director assumes office.~~

If a ~~person~~ director's or officer's spouse or state registered domestic partner was is employed by the district ~~under contract~~ as a classified or certificated employee before the his or her spouse, or state registered domestic partner becomes a director or officer took office, ~~or if a director is employed by the district under contract as a classified or certificated employee where the total amount received under the contract or contracts is \$1,500 per month or less,~~ the spouse's or state registered domestic partner's employment contract may be renewed. ~~for further employment, provided that the~~ The terms of the contract ~~are must be~~ commensurate with the pay plan or collective bargaining agreement operating in the district for that position.

A director or officer may have a remote interest in a contract. The interest, though, of the director must be disclosed prior to the board action and ~~noted~~ must be recorded in the official minutes ~~before the formation of the contract.~~

# PROPOSED REVISION

1610

Page 2 of 3

A director may not vote on the authorization, approval, or ratification of a contract in which ~~he or she is~~ they are beneficially interested and to which one of the exemptions described above applies. Before the board approves a contract in which a director is beneficially interested, the director must disclose their interest to the board, and the director's interest must be noted in the official minutes.

Before the board approves the employment of a director or a director's or an officer's spouse or state registered domestic partner, the superintendent or designee will inform the board of other individuals who are qualified for and interested in the position(s) to be filled. The district will not discriminate in any way against any applicant for a position or employee based on a family relationship with a director or officer. All employment decisions will be made by choosing the applicant that furthers the best interests of the district.

Whenever a director, or ~~his or her~~ their spouse, or state registered domestic partner, ~~or dependent of a member of the board of directors~~ is employed by the district, the director shall refrain from influencing or attempting to influence any board action affecting the employment status of the director, or their spouse, or state registered domestic partner, ~~or dependent~~. Actions affecting employment status include, but are not limited to, hiring, establishing compensation and fringe benefits, setting working conditions, conducting performance evaluations, and/or considering or imposing discipline and termination.

The superintendent shall maintain a log of any contract subject to this policy and will annually or when a new director assumes office, shall inform the board of the existence of all such contracts.

~~No person shall be employed by the district who is the spouse, state registered domestic partner, or dependent of the superintendent.~~

~~For purposes of this policy, "dependent" shall mean (a) the unemancipated minor children or custodial stepchildren of a director or the superintendent, or (b) the adult children of a director or the superintendent where such children are financially supported by the director or the superintendent.~~

Cross references:

[Board Policy 1111](#)  
[Board Policy 4210](#)  
[Board Policy 5215](#)  
[Board Policy 5410](#)  
[Board Policy 6106](#)  
[Board Policy 6230](#)

District Election  
School Support Organizations  
Conflicts of Interest  
Substitute Employment  
Allowable Costs for Federal Programs  
Relations with Vendors

# PROPOSED REVISION

1610

Page 3 of 3

Legal references:	<a href="#"><u>RCW 28A.330.240</u></a>	<b><u>Employment contracts</u></b>
	<a href="#"><u>RCW.28A.405.250</u></a>	Certificated employees, applicants for certificated position, not to be discriminated against—Right to inspect personnel files
	<a href="#"><u>RCW 28A.635.050</u></a>	Certain corrupt practices of school officials—Penalty
	<a href="#"><u>RCW 42.23.030</u></a>	Interest in contracts prohibited—Exceptions
	<a href="#"><u>RCW 42.23.040</u></a>	Remote interests
	<a href="#"><u>RCW 42.23.070 (1)</u></a>	Prohibited acts
	<a href="#"><u>RCW 42.23.900</u></a>	Construction—Chapter applicable to state registered domestic partnerships—2009 c 521

Adopted: October 25, 1993  
Updated: March 2001  
Revised: May 16, 2006  
Revised: February 23, 2010  
Renumbered: October 2011  
Updated: February 2018  
**PROPOSED: November 2022**