

School Board Member Conduct

Public office is a trust created by the confidence which the public places in the integrity of its public officers. To preserve this confidence, it is the desire of the Board to operate under the highest ethical standards.

In carrying out their fiduciary duties, Board members shall not:

1. Disclose or use confidential information acquired in the course of their official duties to further substantially their personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence reasonable persons in their positions or which they knows or should know is primarily for the purpose of rewarding them for official action taken.
3. Engage in a substantial financial transaction for their private business purposes with a person whom they supervises in the course of their official duties.
4. Perform an official act which directly and substantially confers an economic benefit on a business or other undertaking in which they have a substantial financial interest or in which they are engaged as a counsel, consultant, representative or agent.

The phrase "economic benefit tantamount to a gift of substantial value" includes a loan at a rate of interest substantially lower than the prevailing commercial rate and compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for Board members to receive:

1. Campaign contributions and contributions in kind which are reported in accordance with state law.
2. An occasional nonpecuniary gift which is insignificant in value.
3. A nonpecuniary award publicly presented by a nonprofit organization in recognition of public service.
4. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which they are scheduled to participate.
5. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of their positions.
6. Items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events. Tickets to these events may have to be reported in accordance with the public official disclosure law.
7. Payment for speeches, appearances or publications reported in accordance with the public disclosure law.

It shall not be considered a breach of conduct for Board members to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Adopted: December 8, 1992
Revised: September 27, 1994
Revised: October 12, 2010

LEGAL REFS.: C.R.S. 1-45-101 *et seq.* (*Fair Campaign Practices Act*)
C.R.S. 24-6-203 (*Public Official Disclosure Act*)
C.R.S. 24-18-104 (*rules of conduct for all public officers, general assembly, local government officials and employees*)
C.R.S. 24-18-109 (*rules of conduct for local government officials and employees*)
C.R.S. 22-32-110 (k) (*specific powers of boards*)

Swink School District #33, Swink, Colorado