

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number 407.5AR Adopted July 1988 Revised November 2014

Title Conflict of Interest

1. **Definition** – A conflict of interest is an inappropriate relationship between an employee’s obligations or responsibilities to the district and his or her private interests and allegiances.
2. **Nepotism**
 - 2.1 No employee shall be directly hired, supervised, evaluated or have direct administrative authority exercised over them by a close relative or by any relative residing in the same household.
 - 2.1.1 A close relative is defined as father, mother, sister, brother, spouse, son, daughter, step-child, step-parent, son-in-law, daughter-in-law, mother-in-law or father-in-law.
 - 2.1.2 When such a family relationship is established after employment, one or both of the employees may be transferred at a date to be determined by the district.
 - 2.2 No relative of an employee shall be shown preference in employment.
 - 2.3 Exceptions to this regulation may be approved by the superintendent when they are considered to be in the best interests of the district.
3. **Employees, including School Board members, shall not:**
 - 3.1 Accept a gift from a person, or a representative of a person or association that has a direct financial interest in a decision authorized to be made on behalf of District 196 by School Board members, the superintendent, principals, administrators, or employees.
 - 3.1.1 A gift means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.
 - 3.1.2 Subject to the provisions of Administrative Regulation 704.2AR, Purchasing and Contracting, this prohibition *does not* preclude teachers and staff from accepting modest and reasonable gifts from students’ parents or guardians, so long as the person giving the gift does not have (or represent a person or association having) a direct financial interest in a decision authorized to be made on behalf of District 196 by School Board members, the superintendent, principals, administrators or employees.
 - 3.1.3 This prohibition *shall not apply* to the gift exceptions specifically enumerated in Minnesota Statute 471.895, subd. 3 including:
 - 3.1.3.1 Political contributions;
 - 3.1.3.2 Mementos and trinkets costing \$5 or less;
 - 3.1.3.3 Services and informational material of insignificant or unexceptional value;
 - 3.1.3.4 Services to assist an official in the performance of official duties;
 - 3.1.3.5 A plaque or similar memento recognizing individual services in a specialty field or to a charitable cause;

- 3.1.3.6 Food or beverage given at a reception, meal, or meeting away from the recipient's workplace by an organization before whom the recipient appears to make a speech or answer questions as part of a program;
 - 3.1.3.7 Gifts given because of the recipient's membership in a group, the majority of whom are not local officials or school district employees and an equivalent gift is offered to other members of the group;
 - 3.1.3.8 Gifts given by an interested person who is a member of the family of the recipient (unless the gift is given on behalf of someone who is not a member of the family), and
 - 3.1.3.9 Food or beverage given at a reception or meal offered to all attendees at a conference sponsored by a national or multistate organization of governmental organizations or public officials and a majority of the dues to the organization are paid from public funds.
- 3.2 Disclose or use confidential information gained through employment for personal gain or benefit.
- 3.3 Use their position to influence district decisions for personal gain.
4. **Financial Interest Disclosure** – Any district employee who knows, or may reasonably be expected to know, that he or she, or his or her spouse, has a material financial interest in any transaction in which the district is or may be concerned, shall disclose such interest to the superintendent and disqualify himself or herself from participation in or influencing that transaction.

References: -Minnesota Statute 10A.071, Certain gifts by lobbyists and principals prohibited
-Minnesota Statute 123B.20, Dealing in school supplies
-Minnesota Statute 471.88, Exceptions
-Minnesota Statute 471.895, Certain gifts by interested persons prohibited
-Minnesota Rules, 8700.7500, Code of ethics for Minnesota teachers
-Minnesota Rules, 3512.5200, Code of ethics for school administrators