

**Spearfish School District 40-2
8000 Internal Board Operations**

Board Policy

Code: 8500

CONFLICT OF INTEREST

As a school board member there are some restrictions on an individual board member doing business with the school district:

- a. No Board member may be employed by the district. The Board member may substitute on a volunteer basis.
- b. ~~No Board member or employee may be interested in the sale of books or equipment used in the school.~~ No school district officer or employee may be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school district of this state in which the officer serves or the employee is employed.
- c. No elective county, municipal, or state officer or the holder of any other office, the duties of which are incompatible or inconsistent with the duties of a school board member, shall be eligible for such membership.
- d. ~~Any contract for service, materials or equipment for which a school board member has an interest is void. If questions arise, call the ASBSD office or consult your attorney.~~
- d. It shall be unlawful for any officer of the school district, who has been elected or appointed, to be interested, either by himself or agent, in any contract entered into by the school district, either for labor or services to be rendered, or for the purchase of commodities, materials, supplies, or equipment of any kind, the expense, price, or consideration of which is paid from public funds or from any assessment levied by the school district, or in the purchase of any real or personal property belonging to the school district or which shall be sold for taxes or assessments or by virtue of legal process at the suit of the school district. Such contract shall be null and void from the beginning
- e. ~~State law provides that no elective county, municipal or state officer or the holder of any other office, the duties of which are compatible or inconsistent with the duties of a school board member, shall be eligible for this membership. The statute is specific in that no elective county, municipal, or state officer shall be eligible for a position on a school board.~~

Also see, SCHOOL OFFICIAL CONFLICT OF INTEREST DISCLOSURE AND AUTHORIZATION POLICY

SDCL 13-43-1
SDCL 13-20-2.1
SDCL 6-1-1
SDCL 13-7-3

Adopted June 1975

Revised September 15, 1987

Revised December 14, 1998

Reviewed January 11, 2010

Reviewed January 11, 2013

First Reading for Revisions November 12, 2018