



DISTRICT OFFICES
Tom Flanagan, Superintendent
150 Colchester Avenue
Burlington, VT 05401
802-865-5332
tflanagan@bsdvt.org

BSD Policy A1

BURLINGTON SCHOOL DISTRICT POLICY

CODE A1: BOARD MEMBER CONFLICT OF INTEREST

Former Policy B1R

Purpose

The purpose of this policy is to address situations and circumstances in which personal interests are, or can appear to be, in conflict with the organization's interests.

Definitions

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

Conflict of interest A situation when a Board Member's private interests, as distinguished from the Board Member's interest as a member of the general public, would benefit from or be harmed by their actions as a member of the board.

Policy

It is the ethical and legal duty of all School Board Members to avoid conflicts of interest as well as the appearance of conflicts of interest.

Administrative Responsibilities

The Board and its members shall adhere to the following recommended standards:

1. A Board Member shall not give the impression that they would represent special interests or partisan politics for personal gain. This shall not preclude the member from expressing their personal political/First Amendment-protected viewpoint.
2. A Board Member shall not give the impression that they have the authority to make decisions or take action on behalf of the Board or the school administration.
3. A Board Member shall not use their position on the Board to promote personal financial interests or the financial interests of family members, friends, or supporters.
4. A Board Member shall not solicit or accept anything of value in return for taking particular positions on matters before the Board.
5. A Board Member shall not give the impression that their position on any issue can be influenced by anything other than a fair presentation of all sides of the question.
6. Board Members shall be familiar with, and adhere to, those provisions of Vermont education law that define school board powers and govern Board Member compensation and public bidding processes.
7. When a Board Member becomes aware that they are in a position that creates a conflict of interest or the appearance of a conflict of interest as defined in state law or this policy, they shall declare the nature and extent of the conflict or appearance of conflict for inclusion in the board

minutes and shall abstain from voting or participating in the discussion of the issue giving rise to the conflict.

8. When a conflict of interest claim against a Board Member is brought to the board in writing and is signed by another Board Member or a member of the public, and the Board Member against whom the claim is made does not concur that a conflict in fact exists, the following Board procedures shall be followed.

- a. Upon a majority vote of the remaining Board Members, or upon order of the chair, the Board shall hold an informal hearing on the conflict of interest claim, giving both the Board Member and the person bringing the claim an opportunity to be heard.
- b. At the conclusion of the informal hearing, the remaining Board Members shall determine by majority vote whether to:
 - i. Issue a public finding that the conflict of interest charge is not supported by the evidence and is therefore dismissed;
 - ii. Issue a public finding that the conflict of interest charge is supported by the evidence and that the member should disqualify themselves from voting or otherwise participating in the Board deliberations or decision related to that issue, as required by Vermont statute; and/or
 - iii. Issue a public finding that the conflict of interest charge is supported by the evidence.
 - 1. In a case where a conflict of interest is supported, the Board may, following appropriate process, formally censure or subject the Board member to such other action as may be allowed by law.

<i>BSD Version:</i>	<i>BSD A1 Policy</i>
<i>Date Warned:</i>	<i>August 30, 2024</i>
<i>First Reading:</i>	<i>September 3, 2024</i>
<i>Second Reading:</i>	<i>October 1, 2024</i>
<i>Date Adopted:</i>	<i>October 1, 2024</i>
<i>Legal Reference(s):</i>	<i>16 V.S.A. §262(d) Election of Officers</i> <i>16 V.S.A. §557 Gratuity/compensation prohibited</i> <i>16 V.S.A. §558 Eligibility for election to school board</i> <i>16 V.S.A. §559 Public bids</i> <i>16 V.S.A. §563(20) Powers of School Boards: requires each school board to “establish policies and procedures designed to avoid the appearance of conflict of interest.”</i>
<i>Cross Reference:</i>	<i>Former policy B1R sunsetted</i>