

1 All ~~board~~ members of the **Transylvania County Board of Education (the “board”)** are subject to
2 the criminal laws related to conflicts of interest in public office, including strict restrictions
3 against having a pecuniary interest in any business of the board. In addition, board members will
4 not let any personal or business interest interfere with their duties as public officials, including
5 ethical duties as specified in policy 2120, Code of Ethics for School Board Members.

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7 A member of the board will not do any of the following:

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9 1. Obtain a direct benefit from a contract that he or she is involved in making or
10 administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-
11 234 or other law;
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13 2. Influence or attempt to influence anyone who is involved in making or administering a
14 contract on behalf of the board when the board member will obtain a direct benefit from
15 the contract; or
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17 3. Solicit or receive any gift, favor, reward, service, or promise of reward, including a
18 promise of future employment, in exchange for recommending, influencing, or
19 attempting to influence the award of a contract.

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21 A board member is involved in administering a contract if he or she oversees the performance of
22 the contract or has authority to interpret or make decisions regarding the contract. A board
23 member is involved in making a contract if he or she participates in the development of the
24 specifications or terms of the contract or participates in the preparation or award of the contract.

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26 A board member derives a direct benefit from a contract if the board member or his or her spouse
27 does any of the following: (1) has more than a 10 percent ownership or other interest in an entity
28 that is a party to the contract; (2) derives any income or commission directly from the contract;
29 or (3) acquires property under the contract. An exception is allowed for employment contracts
30 between the board of education and the spouse of a board member. However, the board member
31 involved will not deliberate or vote on the spouse’s employment contract or attempt to influence
32 any other person who is involved in making or administering the contract.

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34 Legal References: G.S. 14-234; 133-32

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36 Cross References: Code of Ethics for School Board Members (policy 2120), Employee Conflict
37 of Interest (policy 7730)

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39 Adopted: