

1 All members of the Transylvania County Board of Education (the “board”) are subject to the
2 criminal laws related to conflicts of interest in public office, including strict restrictions against
3 having a pecuniary interest in any business of the board. In addition, board members will not let
4 any personal or business interest interfere with their duties as public officials, including ethical
5 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;
- 12
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~~
- 16
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 4. accept a gift or favor from any person or group desiring to do or doing business with the
22 school system, unless such gifts are instructional products or advertising items of nominal
23 value that are widely distributed; or
- 24
25 5. solicit or accept any gifts from any potential provider of E-rate services or products in
26 violation of federal gifting rules.

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

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

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41 Legal References: G.S. 14-234, -234.1; 133-32; 47 C.F.R. 54.503; FCC Sixth Report and Order
42 10-175

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

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47 Adopted: October 19, 2015

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49 Revised: [DATE]

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