

Descriptor Term:  
EMPLOYEE CONFLICT OF INTEREST

Descriptor Code:  
7.1700

Legal References: G.S. 14-234, -234.1; 115C-47(18); 133-32

Cross References:

Employees of the Board shall not engage in any conduct that creates or gives the appearance of or raises a reasonable question of creating a conflict of interest with their duties and responsibilities with the school system. In addition, employees shall not engage in actual conflicts of interest and shall comply with the following Board directives:

A. FINANCIAL INTERESTS

No employee shall engage in selling goods or services to the board and shall not engage in or have a financial interest, directly or indirectly, in any activity that conflicts with their duties and responsibilities in the school system.

1. Contracts with the Board

An employee shall not do any of the following:

- a. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;
- b. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board; or
- c. solicit or receive any gift, reward or promise for recommending, influencing or attempting to influence the award of a contract.

An employee is involved in "administering a contract" if he/she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract.

An employee is involved in "making a contract" if he/she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract.

An employee "derives a direct benefit from a contract" if the employee or his/her spouse does any of the following:

- a. has more than a 10 percent ownership or other interest in an entity that is a party to the contract;
- b. derives any income or commission directly from the contract; or
- c. acquires property under the contract.

2. Non-School Employment

The board recognizes that some employees may, in their own time, pursue additional compensation. Any such employee shall not engage in the following:

- a. non-school employment that adversely affects the employee's availability or effectiveness in fulfilling job responsibilities;
- b. work of any type in which the sources of information concerning customer, client or employer originate from any information obtained through the school system;
- c. work of any type that materially and negatively affects the educational program of the school system;
- d. any type of private business using system facilities, property, equipment, supplies or materials, unless prior approval is provided by the superintendent; or
- e. any type of private business during school hours or on school property.

The superintendent may grant prior approval for work performed under subsections d. and e. above if such work enhances the employee's professional ability or professional growth for school-related work. The superintendent may establish reporting procedures to require employees to notify the school system of any non-school employment.

B. RECEIPT OF GIFTS

No gifts from any person or group desiring or doing business with the school system may be accepted by a school employee, except for instructional products or advertising items of nominal value that are widely distributed.