

CONFLICT OF INTEREST

An employee of the board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of his/her duties.

An employee of the board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the board shall not accept any benefit, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such benefit, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to the full extent of the law.

Political Activities of Staff

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, board issue, or collective bargaining issue.

Disciplinary Action

Violations of this policy may result in disciplinary action.

Date: Reviewed: April 10, 2013
Adopted: June 12, 2013

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Royalties, Conflict of Interest, Political Activity of Staff

Legal References

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Other Reasons:

It is advisable to have policy that makes clear to district employees the kinds of activities that constitute a conflict of interest.

According to N.J.S.A. 18A:6-8, an employee cannot benefit in any way from the sale of textbooks or any school apparatus to the district that employs him/her, upon penalty of removal from position or revocation of certificate.

N.J.S.A. 18A:12-24 sets ethical parameters for the board to follow in hiring relatives of school officials.

N.J.S.A. 19:34-15 makes it a disorderly persons offense to electioneer within 100 feet of a polling place.

N.J.A.C. 6A:28-1.1 et seq. defines the purpose, authority and operating procedures of the School Ethics Commission.

Recommendation:

A policy as above.

<u>Legal References:</u>	<p><u>N.J.S.A. 2C:27-1 et seq.</u> Bribery and Corrupt Influence <u>See particularly:</u> <u>N.J.S.A. 2C:27-5, -10, -11</u> <u>N.J.S.A. 18A:6-8</u> Interest of school officers, etc., in sale of textbooks or supplies; royalties <u>N.J.S.A. 18A:6-8.4</u> Right to hold elective or appointive state, county or municipal office <u>N.J.S.A. 18A:11-1</u> General mandatory powers and duties <u>N.J.S.A. 18A:12-21 et seq.</u> School Ethics Act <u>See particularly:</u> <u>N.J.S.A. 18A:12-24</u> <u>N.J.S.A. 18A:54-20</u> Powers of board (county vocational schools) <u>N.J.S.A. 19:34-15</u> Electioneering within or about polling place; misdemeanor <u>N.J.A.C. 6A:4-1.1 et seq.</u> Appeals <u>N.J.A.C. 6A:28-1.1 et seq.</u> School Ethics Commission</p>
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Green Township Education Association v. Rowe, et al., 328 N.J. Super. 525 (App. Div. 2000)

Possible

<u>Cross References:</u>	<p>*1140 Distribution of materials by pupils and staff 1313 Gifts to district employees *4112.8 Nepotism *4212.8 Nepotism 4217.50 Standards for staff discipline 4218.2 Freedom of speech</p>
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- *4219.22 Conduct and dress
- *4219.23 Employee substance abuse
- *4238 Nonschool employment

*Indicates policy is included in the Critical Policy Reference Manual.