

**Policy Type: Governance Process****Board Member Conflict of Interest**

Board members are expected to avoid conflicts of interest involving any matter pending before the board. A conflict of interest is deemed to exist when a member is confronted with an issue in which the member has a pecuniary interest or an issue or circumstance that could render the member unable to devote complete loyalty and singleness of purpose to the school district's interest.

Accordingly:

1. Board members are required to cast a vote for all motions unless a conflict of interest is established per NDCC 15.1-07-17 or 44-04-22.
2. If a Board member has a personal or private interest in any matter pending before the Board, the member shall disclose such interest to the Board, shall not vote on the matter except as provided by statute.

If the Board lacks a quorum without the member's participation, the member may vote if his/her participation is necessary to enable the Board to act. If a member votes under such circumstances, the member shall state for the record the fact and nature of the potential conflict of interest.

**North Dakota Statutes****15.1-07-17. School district contracts - Conflict of interest - Penalty.**

1. A school board member or other school officer who has a conflict of interest in any contract requiring the expenditure of school funds shall disclose the conflict to the board and may not participate in any discussions or votes regarding that contract without the consent of all other board members.
2. For purposes of this section, a conflict of interest means the personal, professional, or pecuniary interest of an individual, the individual's spouse or relative, or the individual's business or professional associate.
3. Any person who violates this section is guilty of a class A misdemeanor.

**44-04-22. Conflict of interest law.** A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.

**Monitoring Method:** *Board self-assessment*  
**Monitoring Frequency:** *Annually in Second Quarter*

Fargo Public Schools Board of Education

Adopted: 10/10/00  
 Revised: 2/13/03; 2/12/13; 3/12/13; 1/9/23  
 Last monitored: 10/24/23