
BOARD MEMBER CONFLICT OF INTEREST

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, and demonstrable and which is or may be in conflict with the public interest. Board of Education members are subject to the conduct regulations found in the Nashua Revised Ordinances (NROs).

A board member who has a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, will not appoint committee members or chairs of committees overseeing such matters, and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should refrain from engaging in conduct or actions that give the appearance of a conflict of interest.

Any school board member who is a retired Nashua School District employee would have a conflict of interest if they were to vote on a collective bargaining agreement or memorandum of understanding if the collective bargaining agreement or memorandum of understanding provides a benefit to the retired board member. Said board member shall not participate in negotiating that collective bargaining agreement or memorandum of understanding and shall abstain from any vote or board discussion on that collective bargaining agreement or memorandum of understanding.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his interest in the public schools and his interest in his place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

Nepotism

The Board may employ a teacher or other employee if that teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. The job applicant is expected to declare his/her relationship with the Board member as well.

All Nashua School District employees are subject to the ethics guidelines contained in Chapter 5: Administration of Government Part 5: Conduct Regulations, sections 5-93 through 5-103 of the Nashua City Ordinances. For the convenience of district employees, a link of these guidelines can be found on the district website.

Legal References:

Marsh v. Hanover, 113 NH 667 (1973) and Atherton v. Concord, 109 NH 164 (1968)
Nashua Revised Ordinances Section 5-98

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