
Board Member Ethics and Nepotism

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member's relative or member of the household is seeking and/or holds a position with the public charter school:

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless the Board member complies with the conflict of interest requirements of ORS Chapter 244;
2. This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position);
3. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy, a "member of the household" means any person who resides with the Board member and "relative" means:

1. The Board member's spouse¹;
2. Any children of the Board member or his/her spouse; and
3. Brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law, fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren, or parents of the Board member, or the parents of his/her spouse.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is an employee, the Board member may vote if it will affect all members of that class to the same degree. However, if the employee unit is very small, the class exception may not apply. Similarly, if the employment agreement contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one that has a doctorate and there is a pay differential for employees with doctorates in the salary scale, the Board member should not vote on the employment agreement.

END OF POLICY

¹The term spouse includes domestic partners.

Legal Reference(s):

[ORS 244.010](#) to-244.400

[ORS 332.016](#)

[ORS 659A.309](#)

[OAR 199-005-0003](#) to-199-020-0020

[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).