



EOLA of OHIO
JOINT VOCATIONAL SCHOOL DISTRICTS

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BOARD OF EDUCATION
SCHOOL DISTRICT

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REVISED POLICY - VOL. 34, NO. 1

CONFLICT OF INTEREST—PRIVATE PRACTICE

- A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by Board of Education's employees. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees.
1. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
 2. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the School District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to School District records



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- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
- 3. Employees shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Exceptions to **Part A** of this policy shall be approved by the Superintendent **before** entering into any private relationship.



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- C. Employees may not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No employee may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds

(4) , except that an employee may accept the gift of an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of \$ 75⁰⁰ or less. [END OF OPTIONAL LANGUAGE]

DRAFTING NOTE: Section 200.318 allows for non-Federal entities (Districts) to set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item on nominal value. In such a situation, "nominal value" must be defined. The Ohio Licensure Code of Professional Conduct stipulates that no educator shall accept gifts of \$25 or more. The Ohio Ethics Commission does not list a monetary limit. Rather, it states that no public official shall accept a gift of value that could exert a substantial and improper influence upon a public official. The commission determines whether the value is "substantial" or "improper" on a case by case basis. The commission requires disclosure of gifts of \$75 or more each year by public officials.]



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Violation of this policy shall result in discipline, which may include termination from employment.

R.C. Chapter 102, R.C. 2921.42, R.C. 2921.43
Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03
2 C.F.R. 200.318

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