

School Board Member Conduct

Being elected to public office is an honor, reflecting the trust and confidence of the public. To preserve this confidence and to maintain a high level of integrity, it is the desire of the Board of Education (the “Board”) for Mapleton Public Schools (the “District”) to operate under the highest ethical standards.

In carrying out his/her fiduciary duties, members of the Board shall not:

1. Disclose or use confidential information acquired in the course of official duties to substantially further the member’s personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the Board member’s public duties or which the member knows or should know is primarily for the purpose of a reward for official action taken.
3. Engage in a substantial financial transaction for the member’s private business purposes with a person whom the member supervises in the course of official duties.
4. Perform an official act which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the member has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.

State law defines "economic benefit tantamount to a gift of substantial value" to include:

1. A loan at a rate of interest substantially lower than the prevailing commercial rate;
2. Compensation received for private services rendered at a rate substantially exceeding the fair market value; and
3. Goods or services for the Board member’s personal benefit offered by a person who is at the same time providing goods or services to the District under a contract or other means by which the person receives payment or other compensation from the District.

The type of items that are not considered “gifts of substantial value or substantial economic benefit tantamount to a gift of substantial value,” and are therefore permissible for a Board member to receive, include:

1. Campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act;

2. An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item; or
3. An unsolicited item of trivial value (as defined in Colo. Const. Art. XXIX, Section 3(6)) such as a pen, calendar, plant, book, notepad, or similar item.

It shall not be considered a breach of conduct for a Board member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members, or business associates; or
2. Accept or receive a benefit as an indirect consequence of transacting District business.

Board members are permitted to receive goods or services if the “totality of the circumstances” indicates the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the Board member does not receive any substantial benefit resulting from the Board member’s status that is unavailable to members of the public generally.

Adopted September 26, 2017, by the Board of Education for Mapleton Public Schools.

LEGAL REFERENCES:

C.R.S. §§ 1-45-101 *et seq.* (*Fair Campaign Practices Act*)

C.R.S. § 22-32-110(1)(k) (*specific powers of boards*)

C.R.S. §§ 24-6-201 *et seq.* (*Public Official Disclosure Law*)

C.R.S. § 24-18-104 (*rules of conduct for all public officers, general assembly, local government officials and employees*)

C.R.S. § 24-18-109 (*rules of conduct for local government officials and employees*)

CROSS REFERENCES:

BCA: School Board Member Ethics

BCB: School Board Member Conflict of Interest