



MOHAVE DISTRICT ANNEX
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BOARD MEMBER CONFLICT

OF INTEREST DISCLOSURE MEMORANDUM

TO: Legal Department (Conflict Disclosure File)

FROM: _____
Board Member Name (please print)

Re: BOARD MEMBER CONFLICT OF INTEREST DISCLOSURE PURSUANT TO ARS §§38-501 to 511¹

Instructions:

1. Board Member must file a Conflict of Interest Disclosure within five calendar days after commencing work or taking office and at least annually thereafter, either stating that the Board member or the board member's relative has no conflict or identifying any conflict the Board member or the Board member's relative has.
2. All Conflict of Interest Disclosures shall be kept on file in the Legal Department.
3. It is the Board member's responsibility to update and submit to both District Legal and Human Resources Departments within fifteen (15) calendar days of any new conflict arising after the date of the most recent disclosure.

Statement of Conflict

I, _____
_____ do hereby indicate:

1. ~~I~~ That I am presently ~~an officer/employee~~ a Governing Board Member of the Scottsdale Unified School District.

¹ Statutory definitions, including "relative," "remote interest," and "substantial interest," are attached.

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2. That I (or, _____, or my relative[s] _____

2. _____)

_____ have a substantial interest in the contract, sale, purchase, or service to or decision, investigation, or other matter by the Scottsdale Unified School District No. 48 Governing Board as described below.

3. Identify the contract, sale, purchase, service, decision, investigation, or other matter in which you or your relative may have a "substantial interest" under ARS §§38-501 to 511. Describe the substantial interest (use as much space or additional pages as necessary.)

a. If applicable, identify the relative by name and relationship:

b. Describe the "substantial interest" referred to above.

Date: _____

Signature _____

Statement of Disqualification (to be completed if you have a conflict as identified above)

To avoid any possible conflict of interest under ARS §§38-501 to 511, I shall will refrain from participating in any manner in my the matter(s) identified above.

Date: _____

Signature _____

Statement of No Conflict

(to be completed only if YOU DO NOT and your relative DOES NOT have a conflict)

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____ (initial) I do **not** have, **and none of my relatives has**, a substantial interest in any contract, sale, purchase, service, decision, investigation, or other matter of Scottsdale Unified School District.

Date: _____

Signature

The District will investigate allegations of inadequate disclosure of substantial interests and/or inappropriate participation when a substantial interest may exist.

Acknowledgment of Policy BCB and Agreement to Comply

(to be completed by ALL)

____ (initial) I have been provided with a copy of Policy BCB, Board Member Conflict of Interest and I have read and understand the policy and agree to comply with it.

Date: _____

Signature

DEFINITIONS (ARS §38-502)

1. "Compensation" means money, a tangible thing of value or a financial benefit.
2. "Employee" means all persons who are not public officers and who are employed on a full-time, part-time or contract basis by an incorporated city or town, a political subdivision or the state or any of its departments, commissions, agencies, bodies or boards for remuneration.
3. **"Make known" means the filing of a paper which is signed by a public officer or employee and which fully discloses a substantial interest or the filing of a copy of the official minutes of a public agency which fully discloses a substantial interest. The filing shall be in the special file established pursuant to § 38-509.**
4. "Official records" means the minutes or papers, records and documents maintained by a public agency for the specific purpose of receiving disclosures of substantial interests required to be made known by this article.
5. "Political subdivision" means all political subdivisions of the state and county, including all school districts.
6. "Public agency" means:
 - (a) All courts.
 - (b) Any department, agency, board, commission, institution, instrumentality or legislative or administrative body of the state, a county, an incorporated town or city and any other political subdivision.
 - (c) The state, county and incorporated cities or towns and any other political subdivisions.
7. "Public competitive bidding" means the method of purchasing prescribed by title 41, chapter 23,1 or procedures substantially equivalent to such method of purchasing, or as provided by local charter or ordinance.
8. "Public officer" means all elected and appointed officers of a public agency established by charter, ordinance, resolution, state constitution or statute.
9. **"Relative" means the spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse.**
10. **"Remote interest" means:**
 - (a) That of a nonsalaried officer of a nonprofit corporation.
 - (b) That of a landlord or tenant of the contracting party.
 - (c) That of an attorney of a contracting party.
 - (d) That of a member of a nonprofit cooperative marketing association.
 - (e) The ownership of less than three percent of the shares of a corporation for profit, provided the total annual income from dividends, including the value of stock dividends, from the corporation does not exceed five percent of the total annual income of such officer or employee and any other payments made to him by the corporation do not exceed five percent of his total annual income.
 - (f) That of a public officer or employee in being reimbursed for his actual and necessary expenses incurred in the performance of official duty.
 - (g) That of a recipient of public services generally provided by the incorporated city or town, political subdivision or state department, commission, agency, body or board of which he is a public officer or employee, on the same terms and conditions as if he were not an officer or employee.

(h) That of a public school board member when the relative involved is not a dependent, as defined in § 43-1001, or a spouse.

(i) That of a public officer or employee, or that of a relative of a public officer or employee, unless the contract or decision involved would confer a direct economic benefit or detriment on the officer, the employee or his relative, of any of the following:

(i) Another political subdivision.

(ii) A public agency of another political subdivision.

(iii) A public agency except if it is the same governmental entity.

(j) That of a member of a trade, business, occupation, profession or class of persons consisting of at least ten members which is no greater than the interest of the other members of that trade, business, occupation, profession or class of persons.

(k) That of a relative who is an employee of any business entity or governmental entity that employs at least twenty-five employees within this state and who, in the capacity as an employee or officer of the Scottsdale Unified School District, does not assert control or decision-making authority over the entity's management or budget decisions, in such contract, sale, purchase, service to, or decision by the Governing Board.

(l) The ownership of any publicly traded investments that are held in an account or fund, including a mutual fund, that is managed by one or more qualified investment professionals who are not employed or controlled by the officer or employee and that the officer or employee owns shares or interest together with other investors.

11. "Substantial interest" means any nonspeculative pecuniary or proprietary interest, either direct or indirect, other than a remote interest.

Date

Signature

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