

Employees are expected to avoid engaging in any conduct that creates or gives the appearance to the public of creating a conflict of interest with their job responsibilities. Employees shall not engage in or have a financial interest, directly or indirectly, in any activity that conflicts with duties and responsibilities in the school system. Although conflicts of interest are not limited to those described in this policy, at a minimum employees must comply with the board directives established below. In addition, employees engaged directly or indirectly in the school system's procurement, purchasing, and/or contracting process must comply with Policy 6401/9100, Ethics and the Purchasing Function.

A. CONTRACTS WITH THE BOARD

An employee shall not do any of the following:

1. obtain a direct benefit from a contract that they are involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;
2. participate in the selection, award, or administration of a contract supported in whole or in part by federal funds if the employee has a real or apparent conflict of interest as described in Policy 8305, Federal Grant Administration;
3. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board when the employee will obtain a direct benefit from the contract; or
4. solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the board.

An employee is involved in administering a contract if they oversee the performance of the contract or have authority to interpret or make decisions regarding the contract. An employee is involved in making a contract if they participate in the development of specifications or terms of the contract or participates in the preparation or award of the contract.

An employee derives a direct benefit from a contract if the employee or their spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract. An exception is allowed for employment contracts between the board and the spouse of the superintendent if approved by the board in an open session meeting in accordance with the requirements of state law and subsection D.2 of Policy 7100, Recruitment and Selection of Personnel.

B. MISUSE OF INFORMATION

An employee shall not do any of the following:

1. use information, which was learned in the employee's role as an employee and which has not been made public, to acquire a financial interest or gain a financial benefit, or to intentionally help another do so; or
2. acquire or gain, or intentionally help another person to acquire or gain, a financial

interest or benefit in contemplation of official action by the employee or the school system.

C. NON-SCHOOL EMPLOYMENT

The board recognizes that some employees may pursue additional compensation on their own time. Any such employee shall not engage in the following:

1. non-school employment that adversely affects the employee's availability or effectiveness in fulfilling job responsibilities;
2. work the employee reasonably expects would require the improper disclosure or use of information the employee obtained solely through their employment with GCS. For this purpose, "information" includes both information that is made confidential by law including, but not limited to, personally identifiable or family contact information from student records, personnel record information, information protected by the attorney-client privilege, and pre-selection procurement information, as well as information such as internal plans and GCS work products that could provide the outside employer with an unfair advantage in the marketplace;
3. work of any type that materially and negatively affects the educational program of the school system;
4. any type of private business using system facilities, equipment, or materials, unless prior approval is provided by the superintendent; or
5. any type of private business during school time or on school property, unless prior approval is provided by the superintendent.

The superintendent may grant prior approval for work performed under subsections C.4 and C.5 above if such work enhances the employee's professional ability or professional growth for school-related work. The superintendent may establish reporting procedures that require employees to notify the school system of any non-school employment.

D. RECEIPT OF GIFTS

No employee may solicit or accept any gifts from any potential or current provider of E-rate services or products in violation of federal E-rate program gifting rules.

No employee may solicit or accept trips, meals, favors, or other gifts or items of monetary value from any other person or group desiring to do or doing business with the school system, unless such gifts are of nominal value (\$50 or less), may lawfully be accepted under all applicable law, and (1) are instructional products or advertising items that are widely distributed; (2) are honorariums for participating in a meeting; (3) are meals served at a banquet; or (4) are approved for receipt by the superintendent or designee.

E. ROMANTIC RELATIONSHIPS BETWEEN SUPERVISOR AND SUBORDINATE

Romantic or sexual relationships between a supervisor and subordinate are prohibited. Such relationships inherently create a conflict of interest, much akin to the prohibition in Policy 7100 on direct supervision of an immediate family member. It is the responsibility of the employee in a supervisor position to notify their supervisor or the Chief of Human Resources if a concern arises regarding the relationship between themselves and a subordinate. If provided with the opportunity to support the involved employees, the Superintendent or designee may collaborate with the employee to invoke transfers so that

this conflict of interest can be avoided. However, an employee who fails to disclose an inappropriate relationship with a subordinate may be subject to disciplinary action, up to and including dismissal.

F. VIOLATIONS

The superintendent or designee shall ensure that all personnel are aware of the requirements of this policy and applicable conflict of interest laws. Any employee aware of violations of this policy or other conflict of interest policies must report the violation(s) to their supervisor, the supervisor of the violating employee, the Chief of Human Resources, and/or the general counsel. Employees who report alleged violations of this policy in good faith will not be subject to retaliation or reprisal.

Descriptor Term:	Descriptor Code:	
STAFF CONFLICT OF INTEREST	7730* (formerly GAG)	
Presented to the Board:	Adopted by the Board:	Revised by the Board:
March 1, 1993	April 19, 1993	February 8, 2000
		Recodified as policy 7730:
		May 10, 2022

~~The Guilford County Board of Education recognizes that all business transactions in which the school system engages, not only must be within the law, but also must respect generally accepted fair trade practices. The Board further recognizes the need for all employees to refrain from engaging in inappropriate business-related behavior. Employees of the school system shall not:~~

- ~~• Engage in selling goods or services to the Board.~~
- ~~• Engage in or have a financial interest in any activity that conflicts or raises a reasonable question of conflict with duties or responsibilities in the school system.~~
- ~~• Engage in any type of private business during the employee's school day or on school property.~~
- ~~• Engage in work of any type where the source of information for a customer, client, or employer originates from school system data.~~
- ~~• Accept gifts from any person or groups desiring or doing business with the school system, except for nominally valued instructional products or advertising items which are widely distributed.~~

- ~~• Provide employee directories to anyone who wishes to use them for pecuniary purposes.~~

Legal References:— [2 C.F.R. 200.318\(c\)\(1\)](#); [47 C.F.R. 54.503](#); [FCC Sixth Report and Order 10-175](#); [G.S. 14-234, -234.1](#); [133-32, -33](#); [115C-47\(17a\), -47\(18\)](#); [133-32](#); [Attorney General Opinion requested by L.W. Lamar regarding G.S. 133-32, the Applicability to Attorneys and Law Firms Providing Professional Services to Local Boards of Education, dated May 13, 1993](#)

Cross References: [Board Member Conflict of Interest \(policy 2121\)](#), [Ethics and the Purchasing Function \(policy 6401/9100\)](#), [Recruitment and Selection of Personnel \(policy 7100\)](#), [Federal Grant Administration \(policy 8305\)](#)

Adopted: April 19, 1993

Revised: February 8, 2000; May 10, 2022 (recoded from policy GAG); [\[date\]](#)