

CONFLICT OF INTEREST

The Board of Education is committed to avoiding situations involving Board members, officers, or employees which, due to conflicting interests, may call into question the integrity of the management or operation of the District. In instances where conflicting interests arise, the affected Board member(s), officer(s), or employee(s) shall recuse themselves from the decision-making process.

The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest. Any Board member, officer, employee, or member of the public noting or suspecting a violation of this policy is encouraged to bring the matter, either in confidence or in public, to the Board or the Superintendent of Schools.

Knowing or willful violation of this policy by any Board member, officer, or employee may result in suspension or removal from office or employment, in accordance with any applicable law. Further, any Board member, officer, or employee who willfully and knowingly violates the Conflict of Interest provisions of the General Municipal Law shall be guilty of a misdemeanor.

General Provisions

The Board shall avoid any situation which creates a conflict of interest and shall do so in accordance with any applicable laws.

All persons employed by the District shall recuse themselves from participating in the hiring, supervision, evaluation, promotion, review, or discipline of any other employee who is a member of the same family and/or household. In the event that marriage, promotion, or reorganization results in a situation where a person employed by the District is directly supervising, evaluating, promoting, reviewing, or disciplining any other employee who is a member of the same family and/or household, reassignment or transfer will be effected, in accordance with the applicable provisions of any collective bargaining agreement, to correct the situation.

No person employed by the District shall negotiate or execute any contract on behalf of the District for the purchase, sale, or lease of real or personal property, services of any nature, nor for insurance without first having determined the common price for such property, services, or insurance, or requesting bids from all potential providers of such property, services, or insurance.

No person employed by the District shall allow any matter, concern, or interest, personal, financial, or otherwise, to influence or interfere with the performance of his or her duties. Should such a matter, concern or interest arise, the employee shall bring the matter to the attention of his or her supervisor to seek ways to reduce or eliminate the influence or interference.

Provision Regarding Federally Funded Awards

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit

from a firm considered for a contract. The officers, employees, and agents of the School District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the School District may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees or agents of the School District.

Cross-ref: 2160, Code of Ethics of the Yonkers Public School District for Board Members, Officers, and Employees

Ref: Education Law §§410; 3016
General Municipal Law §§801 – 812
Labor Law §201-d
2 CFR 200.318(c)(1)
Dykeman v. Symonds, 54 AD2d 159 (4th Dep't 1976)

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