

SUPERINTENDENT'S CONDUCT

The superintendent shall observe rules of conduct established in law which specify that a school employee shall not:

1. Disclose or use confidential information acquired in the course of his employment to further substantially his 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 his position or which he knows or should know is primarily for the purpose of rewarding him for action taken in which he exercised discretionary authority.
3. Engage in a substantial financial transaction for his private business purposes with a person whom he supervises.
4. Perform any action in which he has discretionary authority which directly and substantially confers an economic benefit on a business or other undertaking in which he has a substantial financial interest or in which he is engaged as a counsel, consultant, representative or agent.

The phrase "economic benefit tantamount to a gift of substantial value" includes a loan at a rate of interest substantially lower than the prevailing commercial rate and compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for the superintendent to receive:

1. An occasional nonpecuniary gift which is insignificant in value.
2. A nonpecuniary award publicly presented by a nonprofit organization in recognition of public service.
3. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he is scheduled to participate.
4. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of his position.
5. Items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events.
6. Payment for speeches, debates or other public events reported as honorariums.

It shall not be considered a breach of conduct for the superintendent to:

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

A superintendent may request an advisory opinion from the secretary of state concerning issues relating to conduct that is proscribed by state law.

ADOPTED: August 17, 1988

REVISION DATE: March 20, 1996

LEGAL REFS.: C.R.S. 18-8-308
C.R.S. 22-32-110 (1)(k)
C.R.S. 24-18-104
C.R.S. 24-18-109
C.R.S. 24-18-111