



THE GOVERNOR JOHN ENGLER  
**CENTER FOR  
CHARTER  
SCHOOLS**  
CENTRAL MICHIGAN  
UNIVERSITY



# BOARD GEAR: SERVING AS A PUBLIC OFFICIAL

Serving on a charter public school board means that you hold a public office. The board is the entity of record for the state, so board members play a critical role as public officials. It is important to remember that being appointed as a charter public school board member means you have the same authority and responsibility as board members elected to serve traditional public school districts.

Board members are required to be a United States citizen and a resident of Michigan. You must be nominated by the school's board of directors and follow Central Michigan University's application and appointment process. This culminates in appointment to the school's board and taking an oath of public office before beginning your service.

## CONFLICTS OF INTEREST

The public expects public officials to conduct business in a fair, open and transparent way. This means that board members must act in a way that is free of any real or perceived conflicts of interest.

A conflict of interest is a situation in which a person or organization is involved in multiple aspects of a decision in a way that could possibly corrupt or compromise the individual's or organization's final decision.

Because board members are public officials, board members are bound by state law that discourages conflicts of interest. The terms and conditions of the charter contract, as well as the school's bylaws, also contain specific prohibitions. And, to further ensure that boards operate free of conflicts, board members agree to submit an annual conflict of interest disclosure to the Center. This further safeguards the board member and upholds the public trust.

## HOW TO AVOID POTENTIAL CONFLICTS

There are several ways to avoid potential conflicts. First, be true to the spirit of the law and other governing documents. If it's a decision that you, your spouse, or your family or business could benefit from, avoid pursuing or participating in the decision.

Remember that the perception of a conflict is just as bad as a real conflict. If your involvement in a decision could look like something is compromised, avoid it.

Disclose anything that could be a conflict. Let your board president or school lead know if something could be an issue and don't be afraid to over-report potential conflicts.

## INCOMPATIBLE OFFICES

State law also speaks to what public offices cannot be held at the same time. This is referred to as incompatible public offices. Generally speaking, state law prohibits holding two or more offices that results in:

- » Subordination of duty, that is, the duties of one office controls the other.
- » Supervision of duty, that is, one office oversees the other.
- » Breach of duty, that is, preventing you from discharging your duties.

Here is a simple rule in order to avoid incompatibility of offices — if you are a charter public school board member and would like to seek a second office, talk to your school lead who can connect you with someone from the Center that can provide further guidance.

## DISCUSSION QUESTIONS:

- » Do you understand your role as a public official? How would you explain it to a community partner?
- » How do we monitor potential conflicts of interest, or the perception of conflicts of interest?

Board Gear is a comprehensive governance curriculum focused on charter public school board members and the role governance plays in driving school performance. To view the complete library of videos and resources, visit [www.TheCenterforCharters.org/BoardGear](http://www.TheCenterforCharters.org/BoardGear).

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