

BANNING PAY TO PLAY

The board of education shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance, and corruption in its contracting processes and practices. The board will not vote upon or award any contract in the amount of \$17,500.00 or greater to any business entity which has made a contribution, reportable by the recipient under N.J.S.A. 19:44A-l et. seq. Campaign Contributions and Expenditures Reporting Act, to a member of the board of education during the preceding one-year period.

Contributions that are reportable by the recipient under N.J.S.A. 19:44A-l et seq. to any member of the school board from any business entity doing business with the school district are prohibited during the term of a contract. The commissioner shall take appropriate action for any violations.

When a business entity is a natural person, a contribution by that person's spouse or child that resides therewith, shall be deemed to be a contribution by the business entity. Where a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

The disclosure requirement set forth in N.J.S.A. 19:44A-20.26 also shall apply when the contract is required by law to be publicly advertised for bids.

N.J.A.C. 6A:10-4.1 shall not apply to a contract when a school district emergency requires the immediate delivery of goods or services, and shall not apply to contributions made prior to the effective date of these regulations.

<u>Legal References:</u>	<u>N.J.S.A. 18A:11-1</u>	General and mandatory powers of the board
	<u>N.J.S.A. 19:44A-l et seq.</u>	Campaign contributions and expenditures reporting act
	<u>N.J.A.C. 6A:23A-6.3</u>	Contributions to board members and contract awards
	<u>N.J.A.C. 6A:28-1.1 et seq.</u>	School Ethics Commission

<u>Cross References:</u>	*3320	Purchasing procedures
	*3327	Payment for goods and services
	*3327	Relations with vendors
	*4112.8	Nepotism certified staff
	*4212.8	Nepotism non-certified staff
	*9270	Conflict of interest
	*9271	Code of ethics
	9273	Nepotism – board members

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Pay to Play, Campaign Contributions, Vendors

Approved: November 22, 2010
Revised: