

**Banning Lewis Ranch Academy (BLRA)**  
**Board of Directors Elected and Appointed Position Eligibility Policy**

**Purpose and Scope:** This policy addresses the eligibility of individuals to serve in elected or appointed positions on the Banning Lewis Ranch Academy Board of Directors (BOD). In the event of a conflict between this policy and currently approved organizational bylaws the more restrictive of the two directives shall apply.

**1.0 Conflict of Interest**

- 1.1 The ultimate goal of the BOD is to create a governance environment within the school that address the needs of the school and is also representative of the school's diversity. Additionally, the BOD wishes to avoid any conflict of interest within the governance structure.
- 1.2 For the purpose of this policy the following definitions shall apply:
  - 1.2.1 Close family relationship
    - 1.2.1.1 Spouse, mother, father, mother-in-law, father-in-law, daughter, son, sister, brother, sister-in-law, brother-in-law, aunt, uncle, niece or nephew
  - 1.2.2 Employee of the school management company
    - 1.2.2.1 Any person currently or anytime during the last (one) calendar years who has been considered a payroll employee of the school management company
  - 1.2.3 Employee of the Banning Lewis Ranch Management Company
    - 1.2.3.1 Any person who receives or has received compensation from the Banning Lewis Ranch Management Company during the last (one) calendar years
  - 1.2.4 Employee of the Banning Lewis Ranch Metropolitan District
    - 1.2.4.1 Any person who receives or has received compensation from the Banning Lewis Ranch Metropolitan District during the last (one) calendar years
  - 1.2.5 Banning Lewis Ranch Management Company affiliated
    - 1.2.5.1 Any person who served in an appointed or elected position affiliated with the Banning Lewis Ranch Management Company during the last (one) calendar years
  - 1.2.6 Banning Lewis Ranch Metropolitan District affiliated
    - 1.2.6.1 Any person who served in an appointed or elected position affiliated with the Banning Lewis Ranch Metropolitan District during the last (one) calendar years
  - 1.2.7 Employee of Falcon School District 49 or any school servicing the District 49 area

- 1.2.7.1 Any person currently or anytime during the last (one) calendar year who has been considered a payroll employee of the Falcon School District 49 or any school servicing the District 49 area.
- 1.2.8 Employee or employer of a BLRA School Board member
  - 1.2.8.1 Employee is any person who receives or has received compensation from a BLRA Board member during the last (one) calendar year
  - 1.2.8.2 Employer is any person who compensates or has compensated a BLRA Board member during the last (one) calendar year
  - 1.2.8.3 Compensation includes being paid or payment (in the form of 1099, W4, etc.), on the payroll, being hired or have hired
  - 1.2.8.4 Transactions, where services were rendered or paid, but not as an employee/employer are not applicable.
- 1.2.9 Non-Applicable Transactions
  - 1.2.9.1 Transactions where services were rendered or paid, but not as an employee/employer will generally not be considered a conflict of interest so long as the foregoing conflicts do not apply.
- 1.3 Conflict of Interest
  - 1.3.1 Individuals defined as an employee of the school management company are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
  - 1.3.2 Individuals considered to have a close family relationship with employees of the school management company are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
  - 1.3.3 Individuals defined as an employee of the Banning Lewis Ranch Management Company are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
  - 1.3.4 Individuals considered to have a close family relationship with employees of the Banning Lewis Ranch Management Company are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
  - 1.3.5 Individuals defined as affiliated with the Banning Lewis Ranch Management Company are ineligible to serve in an elected or appointed position on the BLRA Board of Directors

- 1.3.6 Individuals considered to have a close family relationship with affiliated persons of the Banning Lewis Ranch Management Company are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.7 Individuals defined as an employee of the Banning Lewis Ranch Metropolitan District are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.8 Individuals considered to have a close family relationship with employees of the Banning Lewis Ranch Metropolitan District are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.9 Individuals defined as affiliated with the Banning Lewis Ranch Metropolitan District are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.10 Individuals considered to have a close family relationship with affiliated persons of the Banning Lewis Ranch Metropolitan District are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.11 Individuals defined as an employee of Falcon School District 49 or any school servicing the District 49 area are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.12 Individuals considered to have a close family relationship with an Employee of Falcon School District 49 or any school servicing the District 49 area are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 1.3.13 Individuals defined as an employee or employer of a BLRA School Board Director are ineligible to serve in an elected or appointed position on the BLRA Board of Directors

2.0 **General Eligibility Requirements/Disqualifying Factors**

- 2.1 Individuals who are not a permanent resident of El Paso County are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 2.2 Individuals who have previously been convicted of a felony are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 2.3 Individuals who have previously been convicted of domestic violence are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 2.4 Individuals who have previously been convicted of any crime whose punishment involved restrictions on access to or involvement with minors

are ineligible to serve in an elected or appointed position on the BLRA Board of Directors

- 2.5 Individuals who have been involved in any adjudicated documented incident that disrupted instruction at BLRA or any other school are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 2.6 Individuals who have been involved in any adjudicated documented incident concerning threats to directors, staff, or students of BLRA or any other school are ineligible to serve in an elected or appointed position on the BLRA Board of Directors
- 2.7 Individuals who have previously violated the Board bylaws (as deemed by the Board) may be considered ineligible to serve in an elected or appointed position on the BLRA Board of Directors

### 3.0 **Change in Status of Elected or Appointed Individual/Eligibility of Future/Standing Directors**

- 3.1 At such time that a status change occurs resulting in an individual's election or appointment becoming noncompliant with Section 2 that individual must resign their position within twenty-four hours
- 3.2 Individuals who have been involved in any adjudicated documented incident concerning violations of BLRA rules or policies must receive BOD approval prior to being nominated for any elected or appointed position on the BLRA Board of Directors. Standing Directors may finish out their term but will have to gain board approval before nomination/re-nomination
- 3.3 Individuals who have at any time withdrawn their child from enrollment as a student at BLRA must receive BOD approval prior to being nominated for any elected or appointed position on the BLRA Board of Directors. Standing Directors may finish out their term but will have to gain board approval before nomination/re-nomination

### 4.0 **Compliance Resolution**

- 4.1 The BOD has final authority concerning eligibility of elected and appointed positions
- 4.2 The BOD reserves the right to immediately remove, by a simple majority vote, any elected or appointed individual deemed at the sole discretion of the BOD to be non-compliant with this policy
- 4.3 The BOD reserves the right to immediately remove, by a simple majority vote, any elected or appointed individual whose actions are deemed, at the sole discretion of the BOD, to be detrimental to the school environment or the school image

**Adopted:** Emergency Provisional Approval February 16, 2010

**Revised:**

Revision 1 - March 2020

- Policy updated to include section 1.2.8 which further defines the conflict of interest of an employee or employer of School Board Member
- Policy updated to include section 1.3.13 deeming employees or employers of School Board directors ineligible to serve in an appointed or elected position
- Policy title updated to meet naming standard

File: BLRABODPOL-Board\_Elected\_and\_Appointed\_Position\_Eligibility\_Policy\_Rev 1

Revision 2 - 1 December 2021

- Policy updated to include change in conflict of interest general waiting terms for eligibility from three years to one year
- Policy updated to include clearer definitions of D49 employees and affiliates
- Policy updated to include section 1.2.9 for non-applicable transactions
- Policy updated to include section 2.7 for eligibility of persons who violate bylaws
- Policy updated to move existing policy provisions of non-ineligibility factors to a more applicable Section 3 to provide clarity of eligibility for nomination and renomination

**CROSS REF.:** BLRABODPOL-Board\_Elected\_and\_Appointed\_Position\_Eligibility\_Policy\_Rev

1