

203 CONFLICT OF INTEREST POLICY

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in School District business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

It is the policy of the School Board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the School Board will contract under the statutory exception provisions only when it is clearly in the best interest of the School District because of limitations that may exist on goods or services otherwise available to the School District.

III. STATE

MN Statute 124D.10: Subd. 4a. Conflict of Interest: (a): A member of Stonebridge World School's board of directors is prohibited from serving as a member of the board of directors or as an employee or agent of or a contractor with a for-profit entity with whom the charter school contacts, directly or indirectly, for professional services, goods, or facilities. A member of school board of directors who violates this prohibition shall be individually liable to the charter school for any damage caused by the violation; A member of the Stonebridge World School's board of directors that serves as a member of the board of directors or as an employee or agent of or a contractor with a nonprofit entity with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities, must disclose all potential conflicts to the commissioner.

IV. Federal

34 Code of Federal regulations (CFR) Part 80.36 (b): Stonebridge World School will maintain a written code of standards of conduct governing the performance of this employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: (i) The employee, officer or agent, (ii) Any member of his immediate family, (iii) His or her partner, or (iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The grantee's or subgrantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements.

34CFR Part 75.525 Conflict of interest: (a) The school board may not permit a person to participate in an administrative decision regarding a project if: (1) The decision is likely to benefit that person or a member of his or her immediate family; and (2) The person: (i) Is a public official; or (ii) Has a family or business relationship with the grantee; and (b) The School Board may not permit any person participating in the project to use his or her position for a purpose that is- or gives the appearance of being- motivated by a desire for a private financial gain for that person or for others.

See Attachment A: Conflict of Interest Procedure

Approved: 8/16/2017

Revised:

Attachment A

To Policy 203

Conflict of Interest Procedures

For Employees/ Board Members Engaged in the Selection, Award, and Administration of Contract

I. PURPOSE

Employees, including board members, engaged in the selection, award and administration of contracts or purchase must avoid activities or relationships that conflict with interest or adversely affect the school's reputation. No procedure can describe every situation that may constitute a conflict of interest. The purpose of these guidelines is to provide general direction so that you can seek further clarification on issues related to conflicts of interest. Contact the Executive Director if you have questions about conflicts of interest.

II. GENERAL STATEMENT OF POLICY

Stonebridge World School has established this guidance in accordance with the Uniform Governance Guidance 2 CFR 200, Subpart B, Section 200.112-113. It is important to note that nothing in this statement is meant or intended to restrict, impede, or prohibit protected concerted activity by employees as defined by Section 7 of the National Labor Relations Act.

III. DEFINITIONS

A conflict of interest can generally be described as a situation in which your loyalty is, or may appear to be, divided between self-interest or the interests of a third party and the interests of Stonebridge World School. The types of activities and relationships you must avoid include, but are not limited to:

- A. Accepting, agreeing to accept, or soliciting money or other tangible or intangible benefits from outside vendors, suppliers, or clients in exchange for favorable decisions or actions in the performance of your job or that might appear to influence your decision-making or professional conduct. Upon approval of the Executive Director, you may be permitted to accept a gift, provided that the financial value of the gift is unsubstantial (under \$10), or the gift is an unsolicited item of nominal intrinsic value (e.g. pencil, pen, water bottle)

- B. Accepting employment or compensation or engaging in any business or professional activity that might require disclosure of data or information protected by the Family Educational Rights & Privacy Act (FERPA) or the Health Insurance Portability & Accountability Act (HIPAA) or trade secrets;
- C. Accepting employment or compensation that could reasonably be expected to impair your independent judgement in the performance of your duties except for the conduct that is related to protected concerted activities;
- D. Accepting a kickback, bribe, substantial gift, or special consideration as a result of any business dealings involving unless that gift or consideration is related to protected concerted activity;
- E. Giving preferential treatment to any person or company in which you, a relative, spouse, partner, child or a friend has a significant ownership interest or relationship

IV. PROCEDURES

- A. Employees and board members engaged in the selection, award, and administration of contracts and/or purchases will participate annually in training regarding conflicts of interest and complete a Conflict of Interest Disclosure form. Such employees must disclose actual or potential conflicts or any relationship that may create the appearance of a conflict of interest to the Executive Director, in writing, as soon as you become aware of them so that safeguards can be established to protect all parties. Employees and board members are not required to disclose any activities or relationships that involve or pertain to protected concerted activity. Once such conflicts are disclosed the employees will recuse themselves from discussion and recommendations related to the conflict of interest. If Stonebridge World School becomes aware of a conflict of interest for an employee and board members that is not disclosed, the Executive Director and/or Board Chair will investigate any conflicts of interest and determine if disciplinary action, including suspension or termination, is warranted.
- B. Failure to make required disclosures or resolve conflicts of interest satisfactorily may result in discipline up to and including termination of employment, as determined by the Executive Director. An employee has a final right of appeal about such decisions to the School Board.
- C. The Executive Director will disclose in writing any potential conflicts of interest to the Minnesota Department of Education (MDE). The disclosure form will be sent to the Chief Financial Officer at MDE.

- D. The Executive Director and School Board Chair will disclose all violation of federal criminal law involving fraud, bribery, or gratuity violations to appropriate authorities and the Minnesota Department of Education (MDE).

Approved: 10/23/18

Revised: