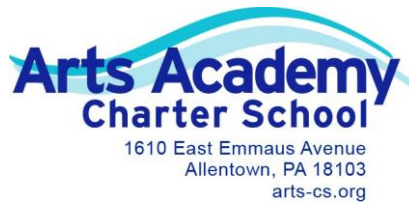


Adoption Date:	05/15/2017
Revision Date(s):	11/17/2024



Board Policy 10.2

Federal Awards - Administration of Federal Contracts Conflict of Interest

THIS POLICY SHALL BE APPLICABLE TO ALL CONDUCT RELATED TO THE ACTIONS OF THE CHARTER SCHOOL.

EMPLOYEES engaged in the selection, award, and administration of contracts, as per 2 C.F.R. §200.18(c)(1).

Standards of Conduct

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. A "financial or other interest," for the purposes of this Policy, shall mean that the individual directly financially benefits from, receives compensation from, or otherwise benefits directly, through goods or services, from such organization.

The officers, employees, and agents of the Charter School may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Examples of gifts of nominal value are t-shirts, calendars, pencils, branded inexpensive pens, and other inexpensive promotional items. Examples of gifts of more than nominal value given to an employee may include, but are not limited to, money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, or promise to do or not do something having a monetary value.

Organizational Conflicts

Organizational conflicts of interest may exist when due to the Charter School's relationship with a subsidiary, affiliated, or parent organization that is a candidate for award of a contract in connection with federally funded activities, the Charter School may be unable or appear to be unable to be impartial in conducting a procurement action involving a related organization.

In the event of a potential organizational conflict, the potential conflict shall be reviewed by the Executive Director or designee to determine whether it is likely that the Charter School would be unable or appear to be unable to be impartial in making the award. If such a likelihood exists, this shall not disqualify the related organization; however, the following measures shall be applied:

Adoption Date:	05/15/2017
Revision Date(s):	11/17/2024

1. The organizational relationship shall be disclosed as part of any notices to potential contractors;
2. Any Charter School employees or officials directly involved in the activities of the related organization are excluded from the selection and award process;
3. A competitive bid, quote, or other basis of valuation is considered; and
4. The Board has determined that contracting with the related organization is in the best interests of the program involved.

Mandatory Reporting Conflicts of Interest

Any individual with an actual, apparent, or potential conflict of interest must report it to the Executive Director as per Board Policy 7.7. In the event that the Executive Director has an actual, apparent, or potential conflict of interest, he/she shall report it to the Board President. For the purposes of this Policy, “immediate family” shall mean an individual’s spouse, parent(s), and children.

Where a true conflict of interest exists, the employee involved in the conflict shall not be involved in any part of the contract process, including soliciting and/or reviewing bids/telephonic quotes and/or finalizing a contract. The Executive Director shall ensure that an alternate individual handles all matters related to such contract. The Executive Director may, at his/her discretion, require such recusal in the case of an apparent or potential conflict of interest, as well.

The Executive Director or designee shall report in writing to the federal awarding agency or pass through entity any potential conflict of interest related to a federal award, in accordance with federal awarding agency policy.

Conflict of Interest Resolution

- A. In the event that a question of conflict of interest or the appearance of conflict of interest arises, the matter shall be referred to and investigated by the Executive Director who will report the results of his investigation to the Board of Trustees. The Executive Director shall call all instances involving conflict of interest to the attention of the Board with his/her recommendations as to how the conflict situation might best be resolved.
- B. In the event that a question of conflict of interest or the appearance of conflict of interest arises regarding a Board member, the situation shall be investigated by a committee of at least three (3) Board members appointed by the President of the Board. If the question of conflict of interest involves the President, the investigating committee shall be appointed by the Vice President. The investigating committee shall report its findings to the Board along with any recommendations for Board action. After considering all facts in the matter the Board shall vote to take whatever action it deems appropriate. The Board member in question shall not vote in such matters.

Adoption Date:	05/15/2017
Revision Date(s):	11/17/2024

- C. All violations of the foregoing policy are subject to appropriate disciplinary action, including dismissal and any penalties as prescribed by law.

Disciplinary Actions

Individuals who violate this Policy may be subject to disciplinary action up to and including termination.