

Adopted: _____

Marine Village School Policy # 210

Revised: _____

CONFLICT OF INTEREST POLICY

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflict of interest for charter school board members and to engage in charter school business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety

II. GENERAL STATEMENT OF POLICY

No member of the board of directors, employee, officer, or agent of a charter school shall participate in selecting, awarding, or administering a contract if a conflict of interest exists.

A conflict exists when:

- (1) the board member, employee, officer, or agent;
- (2) the immediate family of the board member, employee, officer, or agent;
- (3) the partner of the board member, employee, officer, or agent; or
- (4) an organization that employs, or is about to employ any individual in clauses (1) to (3),

has a financial or other interest in the entity with which the charter school is contracting. A violation of this prohibition renders the contract void.

The conflict of interest provisions under this section do not apply to compensation paid to a teacher employed as a teacher by the charter school or a teacher who provides instructional services to the charter school through a cooperative formed under chapter 308A when the teacher also serves on the charter school board of directors.

A charter school board member, employee, or officer is a local official with regard to receipt of gifts as defined by statute. Accepting gifts is considered creating a Conflict of Interest.

A board member, employee, or officer must not receive compensation from a group health insurance provider. Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.

An individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

Any employee, agent, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school is ineligible to serve on the board of directors of a school chartered by that authorizer.

III. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

The determination as to whether a conflict of interest exists is to be made by the Board of Directors. Any member who has an actual or potential conflict shall notify the board of such conflict immediately. The member shall thereafter cooperate as necessary for the BOD to make its determination. Declarations of Conflict should be made at the beginning of each Board meeting, with the member then recusing themselves from voting or discussion concerning the area of conflict.