



## **Great Oaks Academy**

### **Board Member Conflict of Interest Policy**

#### **GENERAL STATEMENT OF POLICY**

It is the policy of Great Oaks Academy's Board of Directors to conform to statutory conflict of interest laws and act in a manner that will avoid any conflict of interest or the appearance thereof pursuant to Minn. Stat. § 124E.14. The purpose of this policy is to ensure that all board members engage in charter school business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety. Great Oaks Academy will also comply with federal statutes regarding conflict of interest and federal grant administration as described in its Bidding and Procurement for Federal Charter School Program Grant Fund Policy.

A conflict of interest can generally be described as a situation in which a Board Member's loyalty is, or may appear to be, divided between self-interest and the interests of a third-party and the interests of Great Oaks Academy. The types of activities and relationships that one must avoid include, but are not limited to:

- a. Accepting, agreeing to accept, or soliciting money or other tangible or intangible benefits 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;
- b. Accepting employment or compensation or engaging in any business or professional activity that might require disclosure of confidential information or trade secrets;
- c. Accepting employment or compensation that could reasonably be expected to impair your independent judgment in the performance of your duties;
- d. Accepting a kickback, bribe, substantial gift, or special consideration as a result of any business dealings involving Great Oaks Academy;

- 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.

## **CONFLICTING BUSINESS RELATIONSHIPS**

1. An individual is prohibited from serving as a member of the charter school board of directors if 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. An individual is prohibited from serving as a board member if an immediate family member is an employee of the school. A violation of this prohibition renders a contract voidable at the option of the commissioner or the charter school board of directors. A member of a charter school board of directors who violates this prohibition is individually liable to the charter school for any damage caused by the violation.

2. 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.

3. The charter school board member conflict of interest provisions do not apply to compensation paid to a teacher employed by the charter school who also serves as a member of the board of directors.

4. The charter school board member conflict of interest provisions do not apply to a teacher who provides services to a charter school through a cooperative formed under Minn. Stat. Ch. 308A when the teacher also serves on the charter school board of directors.

## **DETERMINATION OF CONFLICT OF INTEREST**

The determination as to whether a conflict of interest exists is to be made by the school board in concert with a proper reading of the statute and this policy. Any school board member who has an actual or potential conflict shall notify the school board of such conflict immediately. The school board member shall thereafter cooperate with the school board as necessary for the school board to make its determination.

## **ANNUAL STATEMENTS**

1. Board of Directors

Each director, principal officer and member of a committee with governing board-delegated powers shall annually sign a statement, which affirms such person:

- a. Has received a copy of the conflicts of interest policy
- b. Has read and understands the policy
- c. Has agreed to comply with the policy
- d. Understands that Great Oaks Academy is charitable and in order to maintain its federal tax exemption it must engage primarily in activities, which accomplish one or more of its tax-exempt purposes

## 2. Employees

Employees will participate annually in training regarding conflicts of interest and complete a Conflict of Interest Disclosure Form. Employees must disclose actual or potential conflicts or any relationship that may create the appearance of a conflict of interest to your supervisor, in writing, as soon as you become aware of them so that safeguards can be established to protect all parties. The director will investigate any conflicts of interest and determine if disciplinary action, including suspension or termination, is warranted.

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 and School Board.

### **DISCLOSURE AND REPORTING**

The 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.

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

**Legal References:** *Minn. Stat. § 124E.14*

**BOARD MEMBER POLICY RECEIPT ACKNOWLEDGEMENT** *Please read the Charter School Board Member Conflict of Interest policy carefully to ensure that you understand the policy before signing this document.*

*I have read and been informed about the content, requirements, and expectations of the Charter School Board Member Conflict of Interest policy for members of Great Oaks Academy Board of Directors. I have received a copy of the policy and agree to abide by the policy guidelines as a condition of my appointment and my continuing service on Great Oaks Academy Board of Directors.*

*I understand that if I have questions, at any time, regarding the Charter School Board Member Conflict of Interest policy, I will consult with the Board Chair or Vice Chair.*

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Board Member Name (Printed)

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Board Member Signature

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Date