

Conflict of Interest

All employees of Monhegan School shall perform their duties in a manner free from conflict of interest to ensure that the school unit's business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the school(s).

No employee, officer or agent of Monhegan School shall participate in the selection, award or administration of a contract supported by a federal award if they have a real or apparent conflict of interest.

A conflict of interest would arise when the employee or any member of their immediate family, their partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in the firm selected for the award. For the purpose of this policy, "immediate family" is defined as spouse, brother, sister, parent, son or daughter.

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Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Superintendent who will investigate the circumstances of the proposed transaction. The Superintendent will exercise due diligence in investigating the circumstances of the transaction and, if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Superintendent determines that the proposed transaction is in the best interest of Monhegan School and is fair and reasonable, the employee may proceed with the transaction. In the event that the Superintendent may have a conflict of interest, the School Committee will investigate and make a determination regarding the transaction.

Staff Gifts and Solicitations

Employees, officers and agents of Monhegan School may neither solicit nor accept personal gratuities, favors or anything of monetary value from contractors or parties to subcontracts.

Employees, officers and agents of the school unit may accept unsolicited items of nominal value such as those that are generally distributed by a company or organization through its public relations program.

Violations

Employees of Monhegan School who violate this code of conduct may be subject to discipline, up to and including termination of employment and, if appropriate, referral to law enforcement.

Conflict Resolution/Protests and Claims

Any conflict, dispute or claim shall be filed within 30 days of the transaction in writing to the Superintendent, who will investigate and review the facts making a determination in writing within 60 days of receipt of the claim, dispute or conflict. The party may submit a written appeal to the School Committee Chair within 10 days of receipt of the determination.

[NOTE: This sample policy is intended to assist school units in complying with the requirements of the Uniform Grant Guidance (UGG), a set of rules that requires local school administrative units who receive federal awards to have in place specific written procurement and conflict of interest policies and procedures which would apply to any solicitation or contract for goods or services that uses federal funds.

Some of the provisions are specifically required by the UGG. Others are not required, but are recommended. The status of each provision is indicated in brackets to facilitate Board discussion. This information should be deleted before the policy is adopted. Other bolded internal “notes” should be deleted as well.]

Legal Reference: 34 CFR Parts 74 and 80 (Education Department General Administrative Regulations (‘EDGAR’)) (for federal awards made prior to 12/26/2014)
2 CFR §200.318 (Uniform Administrative Requirements – General Procurement Standards) (for federal awards made on or after 12/26/2014)

Cross Reference: DJ - Bidding/Purchasing Requirements
DJ-R – Federal Procurement Manual

Adopted: 12/11/23 by J. Stevens, F. Dunson & Daphne Pulsifer (First Reading: 11/20/23 by J. Stevens, F. Dunson & Daphne Pulsifer)