

Quantum STEAM Academy

210 CONFLICT OF INTEREST

I. PURPOSE

The purpose of this policy is two-fold. It is to observe state statutes regarding conflict of interest for members of the Board of Directors and to ensure that all board members and school employees engage in charter school business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety. This policy supplements the applicable state and federal laws governing conflict of interest applicable to *non-profits, charitable organizations, and chartered public schools*.

II. General Statement of Policy

- 1) It is the policy of the charter school board to conform to statutory conflict of interest laws (*Minn. Stat. § 124E.14*), and act in a manner that will avoid any conflict of interest or the appearance thereof.
- 2) Employees must avoid activities or relationship that conflict with Quantum STEAM Academy's interests or adversely affect the school's reputation. No policy can describe every situation that may constitute a conflict of interest. The purpose of these guidelines is therefore, to provide general direction so that one can seek further clarification on issues related to conflicts of interest.

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 and the interests of a third-party and the interests of QSA. The types of activities and relationships that one must avoid include, but are not limited to:

- 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;
- Accepting employment or compensation or engaging in any business or professional activity that might require disclosure of confidential information or trade secrets;

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- Accepting employment or compensation that could reasonably be expected to impair your independent judgment in the performance of your duties;
- Accepting a kickback, bribe, substantial gift, or special consideration as a result of any business dealings involving QSA;
- 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.

III. BOARD OF DIRECTORS - CONFLICT OF INTEREST

QSA will conform to *MN Statute 124E.10*, as shown below. QSA will also comply with federal statutes regarding conflict of interest and federal grant administration as described in *PROCUREMENT AND PROCEDURES FOR FEDERAL CHARTER SCHOOL PROGRAM (CSP) GRANT FUNDS POLICY* attached.

A. 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.

- B. 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.
- C. 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.
- D. The conflict of interest 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

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through a cooperative formed under chapter 308A when the teacher also serves on the charter school board of directors.

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.

IV. 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 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.

V. ANNUAL STATEMENTS

A. 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:

1. Has received a copy of the conflicts of interest policy
2. Has read and understands the policy
3. Has agreed to comply with the policy
4. Understands that QSA 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

B. 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

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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.

V. 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*

Adopted: 6/12/2020

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CONFLICT OF INTEREST STATEMENT

1. Board member full name: _____ Position: _____

I have read and understand the QSA Charter School board policy concerning conflicts of interest, and I have initialed the line opposite the appropriate paragraph below.

_____ During the past year, neither I, nor to the best of my knowledge, any member of my family has had an interest or taken any action which would contravene the policy of the QSA board of directors.

_____ During the past year, neither I, nor to the best of my knowledge, any member of my family has had an interest or taken any action which would contravene the policy of this board, except such interest or action fully disclosed.

Board member signature

Date