

CONFLICT OF INTEREST - Administration

The proper performance of school business is dependent upon the maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by Board members, and the District's administrative employees, officers and agents is essential to the Board's commitment to earn and keep the public's confidence in the School District.

For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all administrative employees, officers and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all administrative employees, officers and agents. Administrative employees are expected to perform their duties in a manner free from conflict of interest consistent with 19.59, Wis. Stats.

- A. No administrative employee, officer or agent shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
- B. Administrative employees, officers and agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the School District.

Included, by way of illustration rather than limitation are the following:

- 1. soliciting on school premises or under circumstances which are coercive for the private sale of goods or services to students or other employees
 - 2. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the administrative employee's, officer's or agent's employment or professional relationship with the School District through his/her access to School District records
 - 3. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - 4. the requirement of students or clients to purchase any private goods or services provided by an administrative employee, officer or agent or any business or professional practitioner with whom any employee, officer or agent has a financial or other relationship, as a condition of receiving any grades credits promotions, approvals, or recommendations
- C. Should exceptions to this policy be necessary in order to provide mandatory services to students or clients of the School District, all such exceptions will be made known to the administrative employee's supervisor and will be disclosed to the Superintendent before entering into any private relationship.
 - D. Administrative employees, officers and agents shall not make use of materials, equipment, or facilities of the School District for their own personal financial gain or business interest. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

- E. Administrative employees, officers and agents cannot participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he 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/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Administrative employees, officers and agents cannot solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

However, pursuant to Federal rules, the School District has set standards for when an administrative employee, officer or agent may accept a gift of an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of \$500 or less.

- F. To the extent that the School District has a parent, affiliate or subsidiary organization that is not a State, local government or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate or subsidiary organization if the School District is unable, or appears to be unable to be impartial.
- G. Administrative employees, officers and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

- H. Administrative employees, officers and agents found to be in violation of this conflict of interest policy will be subject to the District disciplinary policy.

In the event that, within the course of administering a Federally funded grant program or service to the District, an administrative employee identifies a conflict of interest, a potential conflict of interest, or that the appearance of a conflict of interest may arise in the course of administering the Federal grant funds, the administrative employee must immediately notify either the Federal agency administering the grant in a manner consistent with that particular agency's rules on conflict of interest, or the District employee directly responsible for grant compliance. Such notice shall be provided at the earliest possible time.

It is a violation of this policy to take action or to refrain from taking action, or for an administrative employee to otherwise use his/her public position to obtain financial gain or anything of substantial value for himself/herself or his/her immediate family.

Legal Reference

Wisconsin Statutes

- 19.59, Wis. Stats.
- 2 C.F.R. 200.12, 2 C.F.R. 200.113, 2 C.F.R. 200.318
- 7 C.F.R. 3016.36(b)(3) and 7 C.F.R. 3019.42

Policy Reference

GBC	Ethics Conduct and Responsibilities
GBCB	Conflict of Interest - Professional Staff
GBCD	Conflict of Interest - Support Staff
GBI	Soliciting and Selling

Policy Adopted: March 6, 2019