



**Adopted on 8/11/16 Last Reviewed On 7/12/17 Last Revised On 7/12/17**

## CHARTER SCHOOL GOVERNING BOARD CONFLICT OF INTEREST PROVISIONS

The Westside Atlanta Charter School Governing Board shall adhere to these Conflict of Interest provisions.

### **Financial Governance**

1. No board member shall use or attempt to use his or her official position to secure unwarranted privileges, advantages, employment for himself or herself, any of his or her immediate family members, or others.
2. No board member shall act in his or her official capacity in any matter in which he or she, any of his or her immediate family members, or any business organization in which he or she has a material financial interest, that would reasonably be expected to impair his or her objectivity or independence of judgment.
3. No board member shall solicit or accept or knowingly allow any of his or her immediate family members or any business organization in which he or she has an interest to solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing that board member in the discharge of his or her official duties. For purposes of this paragraph, a gift, favor, loan, contribution, service, promise, or other thing of value shall not include the items contained in subparagraphs (a)(2)(A) through (a)(2)(J) of OCGA Code Section 16-10-2.
4. No board member shall use, or knowingly allow to be used, his or her official position or any information not generally available to the members of the public which he or she receives or acquires in the course of and by reason of his or her official position for the purpose of securing financial gain for himself or herself, any of his or her immediate family members, or any business organization with which he or she is associated.
5. No board member or any of his or her immediate family members or any business organization in which he or she has an interest shall represent any person or party other than the charter school governing board in connection with any cause, proceeding, application, or other matter pending before the charter school governing board on which he or she serves.

6. No board member shall be prohibited from making an inquiry for information on behalf of a community member if no fee, reward, or other thing of value is promised to, given to, or accepted by the board member or any of his or her immediate family members in return therefor.
7. No board member shall be deemed in conflict with these provisions if, by reason of his or her participation in any matter required to be voted upon by the charter school governing board, no material or monetary gain accrues to him or her as a member of any profession, occupation, or group to any greater extent than any gain could reasonably be expected to accrue to any other member of that profession, occupation, or group.
8. No board member may also be an officer of any organization that sells goods or services to that charter school unless the organization providing goods or services is a Nonprofit membership organization or there are fewer than three sources for such supplies or equipment within the county; provided, however, that any purchase of goods or services that is equal to or greater than \$10,000 shall be approved by a majority of the members of the board in an open public meeting.
9. No board member shall be deemed in conflict with these provisions if, by reason of his or her participation in any matter required to be voted upon by the charter school governing board, no material or monetary gain accrues to him or her as a member of any profession, occupation, or group to any greater extent than any gain could reasonably be expected to accrue to any other member of that profession, occupation, or group
10. No charter school governing board may do business with a bank or financial institution where a board member is an employee, stockholder, director or officer when such member owns 30% or more stock in that institution.
11. No board member may have a financial interest in school buses, bus equipment or supplies, provide services for buses owned by the board, or sell gasoline to the board from a corporation in which the board member is a shareholder.
12. No board member shall accept a monetary fee or honorarium in excess of \$101.00 for a speaking engagement, participation in a seminar, discussion panel, or other activity which directly relates to the official duties of that public officer or the office of that public officer. Actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation in a panel or speaking engagement at the meeting shall not be monetary fees or honoraria.

### **Conduct As Board Member**

1. No board member shall disclose or discuss any information which is subject to attorney- client privilege belonging to the charter school governing board to or with any person other than other board members, the board attorney, the school leader, or persons designated by the school leader for such purposes unless such privilege has been waived by a majority vote of the whole board.
2. No board member shall vote on the employment or promotion of any of his or her immediate family members. No immediate family member of a board member may be

employed or promoted unless a public, recorded vote is taken separately from all other personnel matters.

3. No board member may be employed in any position in the charter school in which they serve.

4. No board member shall be employed by the State Department of Education or serve concurrently as a member of the State Board of Education.

5. No member a charter school governing board shall serve simultaneously on the governing body of a public local school district or of a private elementary or secondary educational institution that actively seeks funding from any government entity or private entity from which the charter school seeks funding.

Each member of this board understands and acknowledges that no person shall be eligible to serve on a charter school governing board unless he or she:

(1) Has read and understands the code of ethics and the conflict of interest provisions applicable to members of charter school governing boards and has agreed to abide by them; and

(2) Has agreed to annually disclose compliance with the State Board of Education's policy on training for members of charter school governing boards, the code of ethics of charter school governing boards, and the conflict of interest provisions applicable to members of charter school governing boards.

### **Procedure**

- 1. In many cases only the individual board member will be aware of the potential of a conflict of interest. It is the responsibility of the individual board member to notify the governance committee if a potential, perceived or actual conflict of interest arises.**
- 2. Potential, perceived or actual conflict of interests must be disclosed by the board member to the governance committee. The report must be made immediately upon the potential being recognized or being brought to his or her attention.**
- 3. Many situations will require nothing more than a declaration and a brief written statement or record of that declaration, which will be held in the governance committee's records.**
- 4. Once the written statement of the conflict of interest is reviewed, the governance committee will inform the Board of the conflict and if necessary, provide a recommendation on how the conflict can be actively managed.**
- 5. Once the recommendation is submitted and reviewed, the Board may decide the best approach to manage the conflict by vote.**

As of this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, I have read and understand the above Conflict of Interest Policy.

☐ I do not have any conflicts of interest at this time.

☐ I do have one or more potential conflicts of interest that I would like to disclose (details below):

[illegible]

I do hereby proclaim that I have no other potential conflicts of interest and that I will approach the board to disclose any new conflicts of interest which appear in the future.

(signature)