

Adopted: January 2017  
Reviewed:



## **509 CONFLICT OF INTEREST**

### **I. PURPOSE**

Spero Academy has established this guidance in accordance with the Uniform Governance Guidance 2 CFR 200, Subpart B, Section §200.112-113.

### **II. GENERAL STATEMENT OF POLICY**

Employees must avoid activities or relationships that conflict with Spero 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 to provide general direction so that you can seek further clarification on issues related to conflicts of interest. Contact the Director if you have any questions about conflicts of interest.

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 or the interests of a third-party and the interests of Spero Academy. The types of activities and relationships you 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;
- 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 Spero Academy;
- 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.

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 Executive 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.

The Executive 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:** Uniform Governance Guidance 2 CFR 200, Subpart B, Section §200.112-113

**Cross References:** List of relevant MSBA/MASA policies

Spero Academy

**Conflicts of Interest Disclosure Form for Employees**

**Part 1**

Directions: Please complete this form, sign, date and return it to the Director.

I, the undersigned, acknowledge I have received a copy of the Spero Academy's Conflicts of Interest Policy. I received training on this topic on \_\_\_\_\_.

I, the undersigned, acknowledge this Conflicts of Interest Disclosure Form indicates whether I have any actual or apparent Conflict of Interest with any individual or entity whose interests may reasonably appear to be affected by selecting, awarding, or administering a contract with the entity.

I understand a Conflict of Interest exists when the following individuals or entities have a financial or other interest in an entity with which Spero Academy is contracting:

1. Board Member, Employee, Officer, or agent;
2. Immediate family of the Board Member, Employee, Officer, or agent;
3. Business Partner of the Board Member, Employee, Officer, or agent;
4. An organization that employs, or is about to employ any individual mentioned in the aforementioned lines.

I agree not to participate in the selecting, awarding, or administering any contract if a conflict of interest exists.

I understand that I have a continuing duty to report any potential Conflicts of Interest and agree to report to the Board any possible conflicts that may develop in addition to any possible conflicts stated below.

I understand a Conflict of Interest may arise in a situation not stated above and this disclosure does not limit Spero Academy's rights concerning any other conflicts of interest, which may arise.

I understand that Spero Academy will conduct an investigation of any conflict of interest and may result in discipline up to and including termination of employment.

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**Conflict of Interest Policy Disclosure Form for Employees**  
**Part 2**

I have read, understand, and agree to the provisions of the Conflicts of Interest Policy.

I declare that:

Check one:

I have no conflicts to declare.

I am declaring the following conflict or potential conflict:

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I understand that if a conflict is declared, NAME OF SCHOOL, Executive Director, employee, officer, or agent will notify the Board Chair.

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Conflict of Interest Disclosure Form  
Administration and Members of the School Board**

This document pertains to any individual, who due to their role within the school has the authority to purchase goods or sign contracts on behalf of the school.

Reference: Spero Academy Conflict of Interest Policy

Review the following and check the applicable statements related to conflict of interest regarding charter school for the year ended \_\_\_\_\_:

\_\_\_\_\_ I am, or my immediate family member\* or partner is an owner, employee, or agent of, or a contractor with a for-profit or nonprofit entity with whom the charter school contracts, directly or indirectly, for professional services, goods or facilities.

\_\_\_\_\_ If so, I refrain from participating in selecting, awarding, or administering a contract if a conflict of interest exists. A conflict exists when (1) the board member, employee, officer or agent, (2) the immediate family of a board member, employee, officer, or agent, (3) the partner of the board member, employee, officer, or agent, or (4) an organization that employs, or is about to employ any individual in clauses (1) to (3), has a financial or other interest in the entity with which the charter school is contracting.

\_\_\_\_\_ I am an employee, agent, or board member of the authorizer who participates in the initial review, approval, ongoing oversight, evaluation, or the charter renewal or nonrenewal process or decision.

\_\_\_\_\_ I am aware of the following transactions undertaken by myself, my immediate family members, my partner/spouse or entities affiliated with myself, my immediate family members, or my partner/spouse during the year that would impair my independence with respect to the organization listed above.

Required information:

a. Description of transaction:

\_\_\_\_\_

b. Individual/entity engaging in transaction:

\_\_\_\_\_

c. Amount of transaction:

\_\_\_\_\_

d. Identify other party to the transaction:

\_\_\_\_\_

e. Relationship of individual/entity (self, spouse, etc.):

\_\_\_\_\_

\_\_\_\_\_ I am aware of no transactions undertaken by myself, my immediate family members, my partner/spouse or entities affiliated with myself, my immediate family members, or my partner/spouse during the year that would impair my independence with respect to the organization listed above.

\_\_\_\_\_ I sold or purchased property or materials owned by the charter school. If so, please place a check next to all that apply:

- \_\_\_\_\_  The property was not needed by the charter school.
- \_\_\_\_\_  The purchase was made through a sealed bid or public auction.
- \_\_\_\_\_  I was not directly involved with the sealed bid or auction process.
- \_\_\_\_\_  Public notice of the sale was given for at least one week.
- \_\_\_\_\_  I did not sell or purchase property or materials owned by the charter school.

To the best of my knowledge and belief, the above information is true and accurate.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Employer: \_\_\_\_\_

Date: \_\_\_\_\_

\*Immediate family member: An individual's spouse, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, daughters-in-law, and sons-in-law. Adopted, half, and step members are also included in immediate family.

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