

202 CONFLICT OF INTEREST POLICY

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflict of interest for Charter Schools and Charter School Board Members and to engage in Charter School Business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

It is the policy of the board of directors to contract for goods and services in conformance with statutory conflict of interest laws and, in addition, in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the board of directors will contract under the statutory exception provisions only when it is clearly in the best interest of the school district because of limitations that may exist on goods or services otherwise available to the school district.

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

- A. A member of a charter school board of directors is prohibited from serving as a member of the board of directors or as an employee or agent of or a contractor with a for-profit entity with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities. A violation of this prohibition renders a contract voidable at the option of the commissioner. A member of a board of directors who violates this prohibition shall be individually liable to the charter school for any damage caused by the violation.
- B. An individual may serve as a member of the board of directors if no conflict of interest under paragraph (A) exists.
- C. A member of a charter school board of directors that serves as a member of the board of directors or as an employee or agent of or a contractor with a nonprofit entity with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities, must disclose all potential conflicts to the commissioner.
- D. The conflict of interest provisions under this subdivision 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.

- E. The conflict of interest provisions under this subdivision do not apply to a teacher who provides services to a charter school through a cooperative formed under chapter 308A when the teacher also serves on the charter school board of directors.

Legal References:

Minn. Statutes 2002, 124E.10 Subd. 4a