

## **210.1P CONFLICT OF INTEREST – CHARTER SCHOOL BOARD MEMBERS**

### **I. PURPOSE**

The purpose of this policy is to observe state statutes regarding conflicts of interest for New Discoveries Montessori Academy 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 New Discoveries Montessori Academy Board of Directors to conform with statutory conflict of interest laws and act in a manner that will avoid any conflict of interest or the appearance thereof.

### **III. CONFLICTING BUSINESS RELATIONSHIPS**

- A. A member of New Discoveries Montessori Academy board of directors is prohibited from serving as a member of the board of directors or as an employee or agent of, or contractor with, a for-profit entity with whom NDMA 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 of Education (Commissioner). A member of a charter school board of directors who violates this prohibition shall be individually liable to the charter school for any damage caused by the violation. An individual may serve as a member of the board of directors if no conflict of interest under this paragraph exists.
- 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. A conflict exists when:
- (1) the board member, employee, officer, or agent;
  - (2) the immediate family of the 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. A violation of this prohibition renders the contract void.
- C. A member of NDMA board of directors that serves as a member of the board of

directors or as an employee or agent of, or contractor with, a nonprofit entity with whom NDMA contracts, directly or indirectly, for professional services, goods, or facilities, must disclose all potential conflicts to the Commissioner.

- D. A charter school board member, employee, or officer is a local official for purposes of Minnesota statute section 471.895 with regard to receipt of gifts as defined under section 10A.071, subdivision 1, paragraph (b). A board member, employee, or officer must not receive compensation from a group health insurance provider.
- E. The NDMA 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.
- F. The NDMA board member conflict of interest provisions do not apply to a teacher who provides services to NDMA through a cooperative formed under Minn. Stat. Ch. 308A when the teacher also serves on the charter school board of directors.

***Legal References:*** Minn. Stat. § 124E.14, Subd. 4a (Charter Schools; Conflict of Interest )