

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)