

MINNETONKA PUBLIC SCHOOLS

#210 CONFLICT OF INTEREST

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflict of interest and to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

To avoid inappropriate conflicts of interest, it is the policy of the Minnetonka Public Schools Board 1) to purchase books, apparatus and furniture exclusively from vendors who have no direct or indirect financial association with District personnel and 2) to prohibit the District from making purchases of any kind with vendors with whom District personnel involved in the District's internal request and/or authorization process have either direct or indirect financial interests.

III. REQUIREMENT

- A. The Board, through the Executive Director of Finance and Operations or authorized agent, is responsible for the purchasing of all supplies, books, furniture and equipment of all kinds used by the District in the operation of its schools and school buildings.
- B. All District purchases made by the Board shall be made pursuant to and limited by the appropriate regulations of Minnesota Statute 123B.20 and all other relevant statutes and lawful regulatory decisions and guidelines.
- C. "District Personnel" is defined as all teachers, school officers, members of the School Board, school administrators, including the Superintendent of Schools, or any person connected with the District in any capacity.
 - 1. The District will not purchase from a vendor with whom "District Personnel" have an association that will provide a personal financial benefit to the District Personnel, either directly or indirectly, in the proceeds of the purchase.
 - 2. This policy is not applicable to situations in which "District Personnel" realize financial gain resulting from authorship of a book purchased by the District.
 - 3. When a potential conflict of interest arises, the "District Personnel" involved are responsible to provide the Executive Director of Finance and Operations, or designee, a disclosure statement. "District Personnel" who fail to do so will be subject to sanction as determined by the Board.

D. "District Personnel" who violate this policy shall be disciplined within the terms of the state statutes, applicable employee contracts and/or Board policy. Disciplinary actions may include the following:

1. The District's enforcement of Minnesota Statute 123B.20 requiring violators to forfeit not less than \$50 nor more than \$200 for each offense.
2. The District's tendering a written sanction to the individual.
3. The District's referral of the matter to appropriate legal authority for consideration.
4. District action to terminate its association with any person found in violation.

E. Appeal

1. A disciplined party may request a due process hearing before the Board or a Board designated hearing officer. The Board must receive the request for a hearing within 10 working days of the disciplined party's receipt of notification of disciplinary action. The hearing must be held within 15 working days of the request. The Board must render its judgment in the matter within 10 days of the hearing.
2. A disciplined party may make an appeal to the appropriate court for its review of the administrative action taken by the Board. The appeal must be filed within 30 days after the administrative action has occurred.

Adopted: October 8, 1987

Revised: January 7, 1999

Adopted: February 4, 2004

[Note: The provisions of this policy substantially reflect statutory requirements.]

Legal References: Minn. Stat. 122A.40, Subd. 3 (Teacher hiring, dismissal)
Minn. Stat. 122B.195 (Board member's right to employment)
Minn. Stat. 122B.20 (Dealing in School Supplies)
Minn. Stat. 471.87 (Public Officers; Interest in Contract; Penalty)

MINNETONKA PUBLIC SCHOOL DISTRICT

PROCEDURES FOR POLICY #210 CONFLICT OF INTEREST

- I. Annually the District Business Office shall notify employees of the District's conflict of interest policy.
- II. "District Personnel" will be required to notify the Executive Director of Finance and Operations, or designee, of potential conflicts of interest.
- III. The District will not purchase from a vendor with whom "District Personnel" have an association that will provide a personal financial benefit to the District Personnel, either directly or indirectly, in the proceeds of the purchase.