

**Virtual Learning Academy of St. Clair County (VLA)
Board of Education Policy**

**Conflict of Interest
All Staff**

The objective of this policy is to maintain an impartial administration of the business of the Virtual Learning Academy and to maintain public confidence in the VLA Board of Education and staff. In order to accomplish this, the VLA will maintain written standards of conduct covering conflict of interest and governing the actions of its officers, administrators, employees or agents, engaged in the selection, award and the administration of its contracts.

Conflict of Interest

1. The VLA officers, administrators, employees and agents, shall perform their official duties in a manner free from conflicts of interest and maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

Such a conflict of interest would arise when the employee, officer, agent, or any member of his or her family, his or her partner, or an organization, which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for contract. All parties must disclose any potential conflict that may become a violation of this policy to the VLA.

- a. No VLA, officer, administrator, employee or agent shall use his or her position to benefit either, himself or herself, or any other individual or agency, apart from the total interest of the VLA.
- b. No officer, administrator, employee or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest.

If the financial interest relates to a proposed contract with the VLA, the following requirements must be met.

The officer, administrator, employee or agent shall disclose their direct financial interest in the proposed contract, to the VLA Board and the disclosure shall become part of the official Board minutes. Disclosure is required under the following conditions.

- a. If his/her direct financial interest amounts to \$250.00 or more,
- b. or if the total VLA contract cost is five percent (5%) or more.

The officer, administrator, employee or agent, shall make the disclosure in one of the following ways:

- a. In writing to the VLA Board President, at least seven (7) days prior to the meeting at which the vote on the proposed contract will taken. The disclosure must be made public in the same manner as the Board's notices of its public meetings.

- b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The officer, administrator, employee or agent, must use this method of disclosure if his/her financial interest amounts to \$5000.00 or more.

Officers, administrators, employees or agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parent of students or clients in the course of their employment or professional relationship with the VLA. Including but not limited to:

- a. the delivery of any private lessons or services for a fee,
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officers, or agent's employment or professional relationship with the VLA through his/her access to the VLA's district records,
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration of such referrals;
- d. the requirement of students or clients to purchase any private goods or services provided by an employee, officer, agent, or a nay business or professional practitioner with whom any employee, officer or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

Officers, administrators, employees or agents shall not make use of materials, equipment, or facilities of the VLA, for their private practice or use.

2. Should exceptions to this policy be necessary in order to provide services to students or clients of the VLA, all such exceptions will be made known to the direct supervisor(s) and will be disclosed to the superintendent before entering into any private relationship.
3. An officer, administrator, employee or agent are presumed to have a conflict of interest, if the affiliate or family member has a financial interest, or a competing financial interest, in the contract or other financial transaction or is an employee of the VLA.

The VLA will not use intermediate school district funds or other public funds under the control of the VLA for the purchase of alcoholic beverages, jewelry, gifts, fees for golf, or any other items for which the purchase or possession of is illegal. This policy may allow for the use of public funds for the purchase of a plaque, medal, trophy, or other award for the recognition of an employee, volunteer or pupil if the purchase does not exceed the current fiscal year's Consumer Price Index (CPI) allowable cost.

As such, the officer, administrator, employee or agent of the VLA, may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontractors. They may however accept unsought articles of "nominal value" from contractors or subcontractors that do not involve Federal grant funds in accordance with MCL 380.634, under the Michigan Department of Education's current year adjustment of the allowable dollar amounts that may be accepted from vendors, by school districts.

When an officer, administrator, employee or agent determines a personal conflict of interest exists, he/she should, prior to the matter being considered, disclose his/her interest and the disclosure shall become a matter of record, in the official minutes of the VLA Board.

The VLA must also disclose, in writing, any conflict of interest to the Michigan Department of Education (MDE) and/or any appropriate Federal awarding agency or pass-through entity; and any violation(s) of Federal criminal law involving fraud, bribery or gratuity that may affect a federally awarded grant amount, will be reported, to the applicable awarding agency.

If the financial interest relates to a proposed contract with the VLA, the following requirements must be met.

The Board member, administrator, employee or agent, shall make the disclosure in one of the following ways:

- c. In writing to the VLA Board President, at least seven (7) days prior to the meeting at which the vote on the proposed contract will taken. The disclosure must be made public in the same manner as the Board's notices of its public meetings.
- d. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The Board member, administrator, employee or agent, MUST use this method of disclosure if his/her financial interest amounts to \$5000.00 or more.

This policy aligns with the 1950; Amended Conflict of Interest, Board approved May 27, 2015 and amends the Conflict of Interest All Staff policy, Board approved June 6, 2018.

Approved: December 16, 2020

1968 PA 317, MCL 15.321-15.330, 1993 PA 23, MCL 380.1203, MCL 450.4101-450.5200, MCL 380.634(5) Add. 2012, Act 606, Imd. Eff. Jan. 9, 2013