



THE EWING PUBLIC SCHOOLS

BUSINESS OFFICE

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DISTRICT ADMINISTRATIVE OFFICES

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TO: **ALL POTENTIAL VENDORS OF GOODS AND/OR SERVICES**

FROM: Dennis J. Nettleton, CPA, RSBA, SFO, School Business Administrator/Board Secretary

RE: **Ethics In Purchasing – Statement to Vendors**

DATE: February 2022

Financial Interest in any Contract: Direct or Indirect

No employee or board member may have a direct interest in any contract or agreement for the sale of goods and services to the Board of Education, nor receive any benefit, compensation or reward from any contract for the sale of goods and services to the Board of Education. **Reference N.J.S.A. 18A:6-8.**

Solicitation/Receipt of Gifts from Vendors – PROHIBITED

School Board Members, school officials, and employees, or members of their immediate family are prohibited from soliciting, receiving or agreeing to receive any compensation, reward, employment, gift, meal, honorarium, travel, reimbursement, favor, loan, service, or any other thing of value from any person, firm, corporation, partnership, or business that is a recipient of a purchase order from the district, or a potential bidder, or an applicant for any contract with the district, based upon an understanding that what is solicited or offered was for the purpose of influencing the board member or school employee in the discharge of their official duties. This shall be consistent with the School Ethics Act. **Reference N.J.S.A. 18:12-21 et. seq.**

School District Responsibility – Recommendation of Purchases

It is the desire of the Ewing Township Board of Education to have all Board employees and school officials practice exemplary ethical behavior in the procurement of goods, materials, supplies, and services.

School officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and any other applicable factors in full compliance with **N.J.S.A. 18A:18A-1, et. seq.**

School employees and officials are prohibited from soliciting and receiving funds, gifts, materials, goods or services, favors, and any other items of value from vendors doing business with the Ewing Township Board of Education.

Vendor Responsibility

Any vendor doing business or proposing to do business with the Ewing Township Board of Education, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the Ewing Township Board of Education, or to any member of the official's or employee's immediate family.

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No vendor shall cause or influence or attempt to influence, any official or employee of the Ewing Township Board of Education, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Vendor Certification

Vendors may be asked to certify that no official or employee of the Ewing Township Board of Education or immediate family members are directly or indirectly interested in any request or have any interest in any portions or profits thereof. The vendor participating in such a request must be an independent vendor and not an official or employee of the Ewing Township Board of Education.

Violations of the Policy

In accordance with **N.J.S.A. 18A:6-8**, any school district employee who violates the terms of this policy may be subject to withholding of annual increments, suspension, demotion, school ethics complaint, termination and/or revocation of license to teach or administer.

CRIMINAL CODE CITATIONS

Title 2C:27-9 – Unlawful Official Business Transaction

"A public servant commits a crime of the fourth degree if, while performing his or her official functions on behalf of the governmental entity, the public servant knowingly transacts any business with himself, a member of his immediate family, or a business organization in which the public servant or an immediate family member has an interest." **Reference: N.J.S.A. 2C:27-9**

Title 2C:27-10 – Acceptance or Receipt of Unlawful Benefit by Public Servant for Official Behavior

"A public servant commits a crime of the fourth degree if the public servant directly or indirectly, knowingly solicits, accepts or agrees to accept any benefit, whether the benefit inures to the public servant or another person, to influence the performance of an official duty or to commit a violation of an official duty. **Reference N.J.S.A. 2C:27-10**

Respectfully,

Dennis J. Nettleton, CPA, RSBA, SFO
School Business Administrator/
Board Secretary

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