

## **RSU #63**

- a. NEPN/NSBA Code:** **DJH**
  - b. Title:** **Purchasing and Contracting – Procurement Staff Code of Conduct**
  - c. Author:** **Budget & Finance Committee**
  - d. Replaces Policy:** **NEW**
  - e. Date Approved:** **08/28/2017 RSU 63**
  - f. Previously Approved:** **N/A**
  - g. Policy Expiration:** **Review as Needed**
  - h. Responsible for Review:** **Budget & Finance Committee/Policy Committee**
  - i. Date Reviewed:** **07/26/2017 Budget & Finance Committee**  
**08/07/2017 Policy Committee**
  - j. References:** **34 CFR Parts 74 and 80 (Education Department General Administrative Regulation (“EDGAR”)  
(for federal awards made prior to 12/26/2014)**  
**2 CFR § 200.318 (Uniform Administrative Requirements-General Procurement Standards)  
(for federal awards made on or after 12/26/2014)**
- Cross References – Policy DJ – Bidding/Purchasing Procedures**  
**Policy DJA – Purchasing Authority**  
**Policy DJ-R – Federal Procurement Manual-  
Administrative Procedures**  
**Policy BCC – Nepotism**  
**Policy GBI-Staff Code of Conduct: Conflict of Interest,  
Gifts, and Violations**

**k. Narrative:**

The RSU 63 School Board (the Board) intends actions and activities involving all purchasing and issuance of all contracts meet the following requirements:

**I. Conflict of Interest**

- A.** All RSU 63 (district) employees shall perform their duties in a manner free from conflicts of interest to ensure that the district’s business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the schools.
- B.** No district employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest.
- C.** A conflict of interest would arise when the district employee, officer, or agent – or any member of his/her immediate family, his/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 a firm considered for a contract.

- D.** For the purpose of this policy, “immediate family” is defined as spouse, sibling (or step-sibling), parent/step-parent (or parent-in-law), son, or daughter (or son or daughter-in-law).

## **II. Conflict of Interest Disclosure**

All district employees, officers, or agents with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Superintendent who will investigate the circumstances of the proposed transaction. The Superintendent will exercise due diligence in investigating the circumstances of the transaction and, if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Superintendent determines that the proposed transaction is in the best interest of the district and is fair and reasonable, he/she may proceed with the transaction. In the event that the Superintendent may have a conflict of interest, an ad hoc subcommittee of the district Board will investigate and make a determination regarding the transaction.

## **III. Gifts and Solicitations**

District employees, officers, and agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. (Refer to Policy GBI.)

## **IV. Violations**

District employees who violate this code of conduct may be subject to discipline, up to and including termination of employment and, if appropriate, referral to law enforcement.

## **V. Dispute Resolution**

Dispute Resolution is defined/described in Section VII. Protests and Claims, as contained within Policy DJ-R – Federal Procurement Manual of Administrative Procedures.