

Staff Conflict of Interest

Definitions

For purposes of this policy:

- **Conflict of interest** means any situation in which an employee's personal, financial, or other interests could improperly influence or appear to influence the employee's professional judgment or actions on behalf of the District.
- **Perceived conflict** means a situation that a reasonable person could view as compromising an employee's impartiality, regardless of whether an actual conflict exists.
- **Financial interest** means any ownership, compensation, or other material economic benefit in an entity (direct or indirect). The Superintendent may issue guidance establishing de minimis thresholds that do not require disclosure.
- **Outside employment/consulting** means compensated work performed by an employee outside the District.
- **Vendor/contractor/service provider** means any person or entity that does business with, or seeks to do business with, the District.
- **Confidential information** means information gained by reason of District employment that is not public and that a reasonable person would understand is intended to be kept confidential.

Standards of Conduct

Disclosure

Employees in supervisory, procurement, or administrative roles or defined by the Superintendent must disclose outside employment, consulting arrangements, and financial interests with current or prospective vendors in accordance with the Administrative Regulation accompanying this policy.

Recusal & Mitigation

Employees must recuse themselves from any decision, recommendation, or access to confidential information that could be affected by a disclosed interest and comply with any mitigation plan imposed by the Superintendent or designee.

Prohibition on Private Gain

Employees shall not use their position, influence, or confidential information for personal benefit or to benefit a vendor with whom they or a family/household member have a financial interest or outside employment relationship.

Cooperation

Employees must cooperate with conflict reviews and mitigation requirements.

1. Applicability & Roles

- a. Applies to all employees; additional duties apply to employees in **supervisory, procurement, or administrative** roles.

2. Disclosure Requirements

a. Mandatory Event-Driven Disclosure

Before entering into or continuing any outside employment/consulting or financial interest with a current or prospective vendor, the employees with supervisory, procurement or administrative roles must submit a **written disclosure** to the Superintendent or designee.

b. Change-in-Status Updates

Designated employees must update disclosures within [10] business days of any change (e.g., new outside work, acquisition of a financial interest, change in role, or new District interaction with the vendor).

c. Annual Affirmation

Employees in supervisory, procurement, or administrative roles must complete an annual conflict of interest disclosure/affirmation form.

3. Review & Determination

a. Initial Review

The Superintendent/ or Business & Operations Manager-will review disclosures and determine whether a conflict exists.

b. Outcomes & Actions

The District may require modification or termination of the outside relationship and/or implement a Mitigation Plan. Determinations will be documented and communicated to the employee.

4. Prohibited Activities

- a. Employees may not use their position to influence selection, evaluation, or contracting in favor of a vendor with whom they (or a family/household member) have an outside employment or financial interest.
- b. Employees may not use confidential information or District resources for personal gain or to benefit such vendors.

5. Enforcement & Penalties

- a. Failure to disclose, failure to recuse, or engaging in prohibited conduct may result in disciplinary action up to and including termination, and referral to legal authorities where applicable.

6. **Communication**

- a. The district shall distribute annual notification of this policy.

7. **Oversight & Reporting**

- a. The Superintendent will provide the Board with **annual aggregated reports** on filings and outcomes.

End of Bismarck Public School District Policy DEBB

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