

**Capital Area School for the Arts
Charter School
150 Strawberry Square
Harrisburg, PA 17101**

No. 013

**SECTION: BOARD
PROCEDURES**

**TITLE: CONFLICT OF
INTEREST POLICY**

ADOPTED: 6/12/2017

REVISED: 10/21/2024

CONFLICT OF INTEREST POLICY

Board members, Officers and employees of the Capital Area School for the Arts Charter School ("Charter School") have a duty of loyalty to the Charter School and to the public whose interest they are sworn to serve. The purpose of this Conflict of Interest Policy, which provides guidance and a general standard of conduct with respect to actual or apparent conflicts, is in keeping with the Pennsylvania Public Official and Employee Ethics Law and the State Legislature's declaration that the people have the right to be assured that the financial interests of public officials and employees conflict with the public trust, and the principle which prohibits public officials and employees from entering into situations where private interests may conflict with official duties.

The appearance of conflict of interest undermines the public confidence in the integrity of the Charter School, its Board Members and/or employees, and should be scrupulously avoided.

Standards of Conduct

No Board Member or employee shall:

- A) Engage in conduct that constitutes a conflict of interest, which shall be defined as use by a Board Member or employee of authority of his office or employment of any confidential information received through his position for the private pecuniary benefit of himself, a member of his immediate family, or a business with which the Board Member or employee or a member of his immediate family is associated. "Immediate family," for purposes of this policy, is defined to mean a parent, spouse, child, brother or sister.

- B) Engage, or have any interest, financial or otherwise, directly or indirectly, in any business, transaction or professional activity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the Charter School.

- C) Accept an honorarium, which represents a payment in recognition of published works, appearances, speeches, and presentations and which is not intended as consideration of the value of such services that are non-public, occupational or professional in nature.
- D) Recommend or otherwise participate in the decision to make any contract of any value between the Charter School, any school or Student Activity Fund, and any business or entity in which the Board Member or employee or a member of his immediate family, has a personal or financial interest or act to implement or administer any such contract.
- E) No Board Member or employee may participate in the selection, award, or administration of the contract, regardless of the value of the contract, if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee or Board Member any member of his or her immediate 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 a firm considered for a contract.
- F) A Board Member or employee shall report the nature of his or her interest in a potential Charter School contract to his or her superior. Where a Board Member or employee or a member of his or her immediate family has a personal or financial interest in a contract, he or she shall disclose it publicly and abstain from voting on the contract. Formal approval of the contract by a majority of all members of the Board of Trustees, other than the abstaining member, shall be required. The foregoing would apply to any business in which the Board Member's or employee's spouse or child is associated.
- G) Advertise business or professional activities on the Charter School property or use work hours, property or services to perform or promote personal or commercial enterprises or to campaign or raise money for any candidates for political office.
- H) Use confidential information, as defined by the Sunshine Act or the Board of Trustees, concerning property, personnel matters, or affairs of the Charter School or its employees to advance the financial or other private interests of the Board Member, employee or others; nor shall Board Members and employees disclose confidential information except as directed by the Board of Trustees or a court of law. Nothing in this

provision shall be interpreted as prohibiting the practice of “whistle-blowing.”

- I) Accept anything of value including, but not limited to, a gift, loan, political contribution, reward, promise of future employment, favor, gratuity, entertainment, transportation or lodging based on any implied or actual understanding that the judgment of the Board Member or public employee would be influenced thereby. The officers, employees, and agents of the Charter School may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Example gifts of nominal value are t-shirts, calendars, pencils, branded inexpensive pens and other inexpensive promotional items. Examples of gifts of more than nominal value may include, but are not limited to, money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, or promise to do or not do something having a monetary value.
- J) Solicit directly from other Board Members or employees, students or their parents, anything of value for the Board Member’s or employee’s personal benefit.
- K) Purchase property of any kind from the Charter School, either directly or indirectly, except in a manner approved by the Board for the particular sale involved, unless (1) there is an open and public bid process, including public notice and subsequent public disclosures of all bids considered and contracts awarded, and (2) the Board Member or employee did not act in an official capacity in connection with the sale, and (3) the Board Member or employee was not privy to non-public information received in the course of his office or employment.
- L) Participate in the review and approval of publications or materials for Charter School purchase if the Board Member or employee is the author/editor of or has any financial interest in the sale of such publications or materials.
- M) Tutor or counsel as a private enterprise, for compensation, pupils assigned to any class or course of the Charter School to which the employee is assigned. Employees may tutor or counsel pupils enrolled in other schools unless such private enterprise conflicts with or impairs the proper discharge of official duties for the Charter School.
- N) Refer a Charter School parent or student to a service, service provider or product in return for anything of value. Employees making referrals as

part of their official duties shall make referrals to more than one provider of any non-unique service or product. For example, Charter School counselors shall refer parents or students to more than one counselor or provider of medical services where comparably qualified persons are available.

- O) Upon separation from Charter School service or employment, represent any individual or business entity on any matter before the Charter School for a period of one year after such separation.

Administration

Statement of Financial Interest

In accordance with Pennsylvania's Public Official and Employee Ethics Law, the Charter School requires each Board Member and applicable employee to file a Statement of Financial Interest with the Secretary of the Board of Trustees by May 1st of each year for the immediate prior year. All Statements of Financial Interest are reviewed by the Board President.

The Board of Trustees may require any employee whose duties require the exercise of discretion or judgment to file a Statement of Financial Interest.

Conflict of Interest Resolution

In the event that a question of conflict of interest or the appearance of conflict of interest arises, a Board Member or employee must apprise his/her superior and the Board President who will investigate and report the fact of the inquiry and results of his investigation to the CEO and the Finance Committee of the Board of Trustees for resolution. A Board Member having a conflict question shall take it to the President of the Board of Trustees who, if he/she cannot resolve it, with counsel, will refer the question to the Finance Committee of the Board of Trustees for resolution.

The CEO or designee shall report in writing to the federal awarding agency or passthrough entity any potential conflict of interest related to a federal award, in accordance with federal awarding agency policy.

All violations of the foregoing policy are subject to appropriate censure or disciplinary action, including termination of employment and any penalties as prescribed by law.

Any contract or subcontract made in violation of this policy shall be voidable by the Board of Trustees and subject to termination for the Board's convenience.