

MILES AHEAD CHARTER SCHOOL
GOVERNING BOARD
CONFLICT OF INTEREST POLICY

Article I. Purpose

The purpose of the conflict of interest policy is to protect Miles Ahead Charter School Inc.'s interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of one of its officers or directors, or might result in a possible excess benefit transaction. This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest.

Article II. Definitions

1. Interested Person

An Interested Person is any director, principal officer, or member of a committee within the Miles Ahead Charter School board of directors who has a direct or indirect Financial Interest, as defined below.

2. Financial Interest

A person has Financial Interest if the individual has, directly or indirectly, any actual or potential ownership, or compensation arrangement with Miles Ahead Charter School Inc. or with any entity that conducts transactions with Miles Ahead Charter School Inc.

A Financial Interest is not necessary a conflict of interest in all cases. Under Article III, Section 2 of IRS Form 1023, a person with a Financial Interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Article III. Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an Interested Persons must disclose the existence of the Financial Interest and be given the opportunity to disclose all material facts to the directors and members of the committees with governing board-delegated powers considering the proposed transaction or arrangement. In an effort to aid such disclosure, each member (board, committee, or staff) shall complete a conflict of interest questionnaire as circumstances warrant, but no less frequently than annually.

2. Determining whether a conflict of interest exists

The board shall review each member questionnaire and any other disclosures regarding the Financial Interests of its members. After disclosure of the Financial Interest, the Interested Person shall leave the board meeting while the remaining board members discuss and vote on whether a conflict of interest exists.

3. Procedures for addressing conflicts of interest

After exercising due diligence, the governing board or committee shall determine whether the organization can obtain with reasonable effort a more advantageous transaction or arrangement from a person or entity that would not produce a conflict of interest. The Interested Person shall not be present in the room during the determination.

4. Disciplinary Action

If the board or committee has reason to believe an individual has failed to disclose actual or potential conflicts of interest, it will inform the member and allow him/her to explain the alleged failure to disclose. If the board or committee still has reason to believe a conflict of interest exists after the alleged conflict is explained, it will take corrective action.

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PROVISIONS

The Miles Ahead Charter School Governing Board (the board) shall adhere to these Conflict of Interest provisions.

Financial Governance

1. No board member shall use or attempt to use his or her official position to secure unwarranted privileges, advantages, employment for himself or herself, any of his or her immediate family members, or others.
2. No board member shall act in his or her official capacity in any matter in which he or she, any of his or her immediate family members, or any business organization in which he or she has a material financial interest, that would reasonably be expected to impair his or her objectivity or independence of judgment.
3. No board member shall solicit or accept or knowingly allow any of his or her immediate family members or any business organization in which he or she has an interest to solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing that board member in the discharge of his or her official duties.
4. No board member shall use, or knowingly allow to be used, his or her official position or any information not generally available to the members of the public which he or she receives or acquires in the course of and by reason of his or her official position for the purpose of securing financial gain for himself or herself, any of his or her immediate family members, or any business organization with which he or she is associated.
5. No board member or any of his or her immediate family members or any business organization in which he or she has an interest shall represent any person or party other than the charter school governing board in connection with any cause, proceeding, application, or other matter pending before the charter school governing board on which he or she serves.
6. No board member shall be prohibited from making an inquiry for information on behalf of a community member if no fee, reward, or other thing of value is promised to, given to, or accepted by the board member or any of his or her immediate family members in return therefor.

7. No board member shall be deemed in conflict with these provisions if, by reason of his or her participation in any matter required to be voted upon by the charter school governing board, no material or monetary gain accrues to him or her as a member of any profession, occupation, or group to any greater extent than any gain could reasonably be expected to accrue to any other member of that profession, occupation, or group.

8. No board member may also be an officer of any organization that sells goods or services to that charter school unless the organization providing goods or services is a Nonprofit membership organization or there are fewer than three sources for such supplies or equipment within the county; provided, however, that any purchase of goods or services that is equal to or greater than \$10,000 shall be approved by a majority of the members of the board in an open public meeting.

9. No board member shall be deemed in conflict with these provisions if, by reason of his or her participation in any matter required to be voted upon by the charter school governing board, no material or monetary gain accrues to him or her as a member of any profession, occupation, or group to any greater extent than any gain could reasonably be expected to accrue to any other member of that profession, occupation, or group.

10. No board member or the governing board may do business with a bank or financial institution where a board member is an employee, stockholder, director or officer when such member owns 30% or more stock in that institution.

11. No board member may have a financial interest in school buses, bus equipment or supplies, provide services for buses owned by the board, or sell gasoline to the board from a corporation in which the board member is a shareholder.

12. No board member shall accept a monetary fee or honorarium in excess of \$50.00 for a speaking engagement, participation in a seminar, discussion panel, or other activity which directly relates to the official duties of that public officer or the office of that public officer. Actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation in a panel or speaking engagement at the meeting shall not be monetary fees or honoraria.

Conduct As Board Member

1. No board member shall disclose or discuss any information which is subject to attorney- client privilege belonging to the Miles Ahead Charter School governing board to or with any person other than other board members, the board attorney, the school leader, or persons designated by the school leader for such purposes unless such privilege has been waived by a majority vote of the whole board.

2. No board member shall vote on the employment or promotion of any of his or her immediate family members. No immediate family member of a board member may be

employed or promoted unless a public, recorded vote is taken separately from all other personnel matters.

3. No board member may be employed in any position in the charter school in which they serve.

4. No board member shall be employed by the State Department of Education or serve concurrently as a member of the State Board of Education.

5. No member of the Miles Ahead Charter School board shall serve simultaneously on the governing body of a public local school district or of a private elementary or secondary educational institution that actively seeks funding from any government entity or private entity from which the charter school seeks funding.

Each member of this board understands and acknowledges that no person shall be eligible to serve on a charter school governing board unless he or she:

(1) Has read and understands the code of ethics and the conflict of interest provisions applicable to members of charter school governing boards and has agreed to abide by them; and

(2) Has agreed to annually disclose compliance with the State Board of Education's policy on training for members of charter school governing boards, the code of ethics of charter school governing boards, and the conflict of interest provisions applicable to members of charter school governing boards.

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QUESTIONNAIRE

The following questionnaire must be completed annually by all board members and affiliates of Miles Ahead Charter School Inc. Answers to this questionnaire should relate to relationships that occurred from January 1, 2020 through December 31, 2020.

1. Are you an officer of an organization that conducts business or has a relationship with Miles Ahead Charter School Inc.?

Yes _____ No _____

If yes, please explain

2. Have you ever served on the board of a business in which Miles Ahead Charter School Inc. invests?

Yes _____ No _____

If yes, please explain

3. Do you have a family relationship with anyone who has a noted relationship with Miles Ahead Charter School Inc. ? Family connections include an individual's spouse, parent, child, grandparent, grandchild, great-grandchild, sibling. The spouses of any children, grandchildren, great-grandchildren, and siblings are considered family relationships as well.

Yes _____ No _____

If yes, please explain

4. Have you participated, directly, or indirectly, in any employment agreement, compensation relationships, or any other arrangement/investment opportunity with a third-party vendor doing business with Miles Ahead Charter School Inc. that has resulted or could result in personal benefit to you?

Yes _____ No _____

If yes, please explain

5. Have you received, directly or indirectly, any salary payments, loans, or gifts of any kind or any free service, discounts, or other fees from any person/organization engaged in any transaction with the Miles Ahead Charter School Inc. ?

Yes _____ No _____

If yes, please explain

6. Do you share ownership of a business that does business with Miles Ahead Charter School? Ownership means voting power in a corporation, profits interest in a partnership, or beneficial interest in a trust.

Yes _____ No _____

If yes, please explain

SIGNATURE _____ DATE _____

PRINT NAME _____