

Pataula Charter Academy, Incorporated Conflicts Of Interest Policy

Purpose:

The purpose of this policy is to protect the interest of Pataula Charter Academy, Inc. (PCA, Inc) when it is entering into a transaction or arrangement that could possibly benefit the private interest of any Board Member or Key Personnel as well as to ensure that PCA and SCCA are operating in compliance with O.C.G.A. 20-2-2084(e)(2).

Definitions:

Board Member – shall be defined as Voting Board Members as well as Members Ex-officio unless otherwise specified.

Key Personnel – shall be defined as any individual having the authority to make purchasing decisions or decisions on contracts or employment.

Conflict of Interest - a term used to describe any situation in which a set of circumstances creates the risk that professional judgement or actions regarding a primary interest will be unduly influenced by a second interest.

Immediate Family Member - shall be defined as any spouse, child, sibling, or parent or the spouse of a child, sibling, or parent

Policy Statement:

It shall be the policy of Pataula Charter Academy, Inc. that all Board Members and Key Personnel demonstrate unconflicted loyalty to the interests of PCA and SCCA and conduct their personal business and private affairs to avoid any potential or actual conflict of interest between themselves and PCA and SCCA. As such, Board Members and Key Personnel shall adhere to the following provisions:

Section 1 - Avoiding Conflicts of Interest

1. No Voting Board Member may be employed in any position by PCA or SCCA. The Board will have school employees serving on The Board as Members Ex-officio as defined in the PCA, Inc. Bylaws.
2. No Board Member or Key Personnel may use or attempt to use his or her position to obtain privileges, advantages, special considerations, or employment at PCA or SCCA or agencies with which PCA or SCCA has formal contracts, for themselves, family members, or others.
3. No Board Member or Key Personnel 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.
4. No Board Member or Key Personnel shall solicit, 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 or Key Personnel in the discharge of his or her official duties.

However, a gift may be accepted under the following circumstances:

- a) The gift has no more than a token of value; and
 - b) It is in the normal exchange of hospitality or a customary gesture of courtesy between persons doing business together.
5. No immediate family member of a Voting Board Member may be employed by the schools.
 6. No Board Member or Key Personnel shall disclose or discuss any information which is subject to attorney- client privilege belonging to The Board to or with any person other than other Board Members, the Board Attorney, Key Personnel, or persons designated by the Superintendent for such purposes unless such privilege has been waived by a majority vote of the Board.
 7. No Board Member or Key Personnel 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 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.
 8. No Board Member or Key Personnel shall be prohibited from making an inquiry for information on behalf of a community member so long as no fee, reward, or other thing of value is promised to, given to, or accepted by the Board Member or Key Personnel or any of his or her immediate family members in return.
 9. No Board Member or Key Personnel shall accept a monetary fee or honorarium in excess of \$101.00 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. However, actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit such participation in a panel or speaking engagement at the meeting shall not be considered part of the monetary fees or honoraria.
 10. The Board may not do business with a bank or financial institution where any 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 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 which the Board Member is a shareholder.
 12. No Board Member or Key Personnel may additionally be an officer of or serve on the Board of Directors of any organization that sells goods or services to PCA or SCCA.
 13. No Board Member or Key Personnel shall be employed by the State Department of Education or serve concurrently as a member of the State Board of Education.
 14. No Board Member or Key Personnel shall be an officer, member, or executive-level employee of a local board of education or of a local school system.

15. No Board Member shall be deemed in conflict of these provisions if, by reason of his or her participation in any matter required to be voted upon by The 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.

Section 2 – Duty to Disclose

Board Members and Key Personnel must disclose the existence of any actual or potential conflict of interest annually on the Conflict of Interest Disclosure form as well as during the course of any Board or Board Committee meeting should such Conflict occur.

Each Board Member and Key Personnel understands and acknowledges that no person shall be eligible to serve on The Board unless he or she:

- (1) Has read and understands the conflict of interest provisions and has agreed to abide by them; and
- (2) Has agreed to file annually, a fully executed copy of the Conflict of Interest Disclosure Form,

The Board Secretary will deliver the Conflict of Interest Disclosure form at the Annual Meeting of The Board, and will collect the completed forms no later than the next Regular Meeting of The Board. The Board Secretary will give the completed forms to the Board Chair for review. The Board Chair will note the receipt of the forms in the minutes.

Any Board Member elected for service to fill a vacancy at any meeting other than the Annual Meeting of The Board must file a fully executed copy of this form with the Board Secretary within 30 days of his/her election to The Board.

The Board Secretary shall be responsible for keeping current and on file a fully executed copy of the Conflicts of Interest Disclosure form for each Board Member.

Section 3 – Determining Whether a Conflict Of Interest Exists

Upon disclosure of an actual or potential conflict of interest and all material facts, whether by the Conflict of Interest Disclosure form or by verbal disclosure during a Board or Board Committee meeting, the Board Chairman or Board Committee Chairman shall have ultimate and final responsibility for determining whether a potential or actual conflict of interest exists and will take whatever action he or she deems appropriate to resolve such potential or actual conflicts as disclosed for enforcement of this Policy.

Section 4 - Confidentiality

Any information disclosed in the Conflict of Interest Disclosure form shall be confidential and used only for purposes of enforcing this Policy.

Section 5 – Employee Conflicts of Interest

According to O.C.G.A. 20-2-2084 it is also prohibited for any individual that works at PCA or SCCA, not limited to Key Personnel as stated above, to serve on the Board of Directors of any organization that sells goods or services to PCA or SCCA. There is no legal requirement for the

school to have such other employees sign a statement expressing awareness and agreement to such law, however it shall be the responsibility of the Superintendent to ensure that all employees are aware of such requirement as well as ensure that it is properly enforced.

Amended on 5-16-16

Amended on 12-10-2018

Amended on 10-18-2021

Amended on 7-11-2024