

**I. PURPOSE**

~~The purpose of this policy is to adhere to state statutes regarding conflicts of interest and to ensure all business conducted, as well as all transactions, either contracted or contemplated, are designed to avoid any conflict of interest or the appearance of impropriety. The purpose of the Conflict of Interest Policy is to protect Athlos Academy of Jefferson Parish's ("AAJP") interests when conducting business or contemplating entering into a transaction that might benefit the private interests of an Interested Person (defined below), to ensure compliance with state and federal law concerning conflict of interests for members of the board of directors ("Governing Board member"), and to avoid any conflict of interest or the appearance of impropriety.~~ This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflict of interest applicable to charter schools.

**II. DEFINITIONS**

A. Interested Person: An Interested Person is:

1. A Governing Board member, employee, officer, or agent;
  - i. Employees are any individuals working in the school, whether employed by AAJP or Athlos Academies.
2. The immediate family of the Governing Board member, employee, officer or agent;
3. The partner of the Governing Board member, employee, officer, or agent; or
4. An organization that employs, or is about to employ any individual in clauses 1 – 3.

B. Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

1. An ownership or investment interest in any entity with which AAJP enters a contract;
2. A compensation arrangement with AAJP or with any entity with which AAJP enters a contract; or
3. A potential ownership or investment interest in, or compensation arrangements with, any entity with which AAJP is negotiating a contract.

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C. Committee: Any standing or ad hoc Governing Board committee with board delegated authority

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- D. Immediate Family: An individual whose relationship by blood, marriage, adoption, or partnering is no more remote than first cousin.

### III. POLICY

- A. No Interested Person shall participate in selecting, awarding, or administering a contract if a conflict of interest exists.
- B. ~~If such a conflict exists, the Interested Person must comply with the Duty to Disclose (outlined in Section IV. A. below.) A conflict of interest exists when an Interested Person has a financial or other interest in the entity with which AAJP is contracting.~~ A violation of this prohibition renders a contract void.
- C. A charter school board member, employee, or officer is a public servant for the purposes of LA. R.S. 1111-1117 with regards to receipt of gifts and other items of economic value.
- D. AAJP may not hire any individual who is an immediate family member of a member of the Governing Board or the Lead School Administrator unless that individual is a certified teacher employed to teach in the school and an annual disclosure is made to the Louisiana Ethics Administration
- E. Governing Board members may not be employed by, contract with, or appointed to any position by AAJP within two years following their public service.
- F. All interested persons shall comply with all other restrictions governing conflicts of interest outlined in LA. R.S. 1101 *et seq.*

### IV. PROCEDURES

- A. Duty to Disclose:
  - 1. In connection with any actual or possible conflict of interest, an Interested Person must disclose the existence of the financial or other interest and be given the opportunity to disclose all material facts to the Governing Board or Committee, in order to determine if an actual conflict of interest exists.
  - 2. If a member of the Governing Board or Committee is determined to have an actual conflict of interest, s/he shall not participate in the discussion and debate concerning the matter and shall recuse him/herself from voting on any matters for which the conflict exists.
- B. Violations of the Conflict of Interest Policy:

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1. If the Governing Board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose; and
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Governing Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

C. Recording Proceedings: The minutes of the Governing Board and all Committees shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest;
2. The nature of the financial interest;
3. Any action taken to determine whether a conflict of interest was present;
4. The Governing Board's or Committee's decision as to whether a disclosed possible conflict is in fact a conflict of interest;
5. The names of the persons who were present for discussions and votes relating to the contract;
6. The content of the discussion, including any alternatives to the proposed contract; and
7. A record of any votes taken in connection with the proceedings.

D. Annual Requirements:

1. Members of the Governing Board must annually submit a Tier 3 Personal Financial Disclosure by May 15<sup>th</sup>.
2. All employees and members of the Governing Board must participate in annual Ethics Training for Public Servants: by August 31<sup>st</sup> of each year they are employed or serving on the board.

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## V. ACKNOWLEDGEMENT

A. Acknowledgements: Each Governing Board member, employee, officer, or agent, Committee member, and AAJP employee shall, upon appointment, sign an acknowledgement that affirms such person:

1. Has received a copy of the Conflict of Interest policy;

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2. Has read and understands the policy;
3. Agrees to comply with the policy; and
4. Understands AAJP is charitable and in order to maintain its federal tax exemption it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

**Legal References:**

[L.A. R.S. 42:1101 et seq.](#) (*Code of Governmental Ethics*)

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### CONFLICT OF INTEREST POLICY ACKNOWLEDGMENT

I, \_\_\_\_\_, as a Governing Board Member, employee, officer, or agent, Committee member, or AAJP employee recognize that I am an Interested Party with regards to AAJP's Conflict of Interest Policy. I have received, read and understand the Conflict of Interest Policy, I understand the school is a charitable institution, and I agree to comply with its conditions during my term of service to the school.

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*Signature*

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*Date*