



**Official Policy  
of  
Ogden Preparatory Academy**

**1. School Board Operations**

**1.07.POL Conflict of Interest Policy**

**Effective/Revision Date:** 03/19/2020

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**PURPOSE**

The purpose of this policy is to ensure that members of the Board of Directors (the “Board”) of Ogden Preparatory Academy (the “School”) conduct themselves in a manner that avoids actual or apparent conflicts of interest. All Business decisions must be made in the School’s best interest. Under this policy, a conflict of interest arises when a Board member has a personal interest in a matter that is or may be in conflict with or contrary to the School’s interests and objectives to such an extent that the Board member is not or may not be able to exercise independent and objective judgment within the context of the best interest of the School. For the purposes of this policy, a Board member’s “personal interest” includes those of his or her relatives, business associates or other persons or organizations with whom he or she is closely associated.

**POLICY**

The following provisions shall serve as a guide to Board members with respect to the affairs of Ogden Preparatory Academy:

- A Board member shall not furnish directly, nor for compensation, any labor, equipment or supplies of the school.
- Board members may not be employees of the School.
- A relative of a current Board member may not serve on the Board.
- A Board member shall not receive, accept, take or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person or entity if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment, or be considered as part of a reward for action or inaction. Board members are required to submit a report to the Board of the actual or estimated value of any gifts or casual entertainment received as an Board member that exceeds \$50.00.
- The complete confidentiality of proprietary business information must be respected at all times. Board members are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of the School, or to individually conduct negotiations or make contacts or inquiries on behalf of the School unless officially designated by the Board.

- Board members are prohibited from acquiring or having a financial interest in any property that the School acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the School does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the Board member in a position to materially influence or affect the business relationship between the School and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the School is prohibited if this interest or relationship might tend to impair the ability of the Board member to be independent and objective in his or her service to the School.
- If members of the immediate family of a Board member have a financial interest as specified above, such interest shall be fully disclosed to the Board which shall decide if such interest should prevent the School from entering into a particular transaction, purchase, or engagement of services. The term “immediate family” means a Board member’s spouse, parent, dependent children, and other dependent relatives.
- Board members may not realize, seek, or acquire a personal interest in a business that does business with the School.
- Conflict of Interest Disclosure
  - Board members shall complete a Conflict of Interest Disclosure Form annually by the end of January. ~~This Form shall be signed and notarized.~~ Completed Forms shall be submitted to the OPA Business Administrator and made available to the public upon request.
  - The OPA Business Administrator shall provide copies of all completed Forms to the Board Chair at the end of January each year.
  - The Board Chair shall review all completed forms and consider the disclosures. The Board Chair should make changes to assignments, duties, or contracts deemed appropriate to eliminate or mitigate conflicts of interest within the School.
  - When a conflict of interest exists, or arises during the course of business, the Board member shall publicly declare the nature of the conflict, and provide a written statement to the OPA Business Administrator. The Board member declaring such interest shall refrain from discussing or voting upon the question of contracting with the entity.

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It is not the intent of this policy to prevent the School from contracting with businesses because a Board member is an employee of the firm. The policy is designed to prevent the placing of Board members in a position where their interest in the School and their interest in their places of employment might conflict and to avoid appearances of conflict of interest even if such conflict may not exist.

Volunteer activities of a Board member or a Board member's relative are not prohibited by this policy but may be prescribed by policies developed and approved by the Board.

For purposes of this policy, a "relative" is defined as:

- Spouse
- Parent or grandparent (or spouse of such) or anyone who took the place of a parent or grandparent, including step-parents and step-grandparents
- Child or child's spouse, including stepchildren and current foster children
- Grandchild or grandchild's spouse, including step grandchildren
- Sibling or sibling's spouse, including step and half-siblings
- Aunt or uncle or their spouse
- Niece or nephew or their spouse
- First cousin or their spouse
- Brother-in-law, sister-in-law, son-in-law, or daughter-in-law or their spouse

### Document History

Approved: 09/02/2014

Revised: 03/19/2020 *Added clauses as required by the State Auditor's office.*

### Legal References

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