

*Conflict of Interest and Disclosure of Confidential Information – Prohibition
(Tredyffrin/Easttown School District Employees)*

Definitions

“Immediate Family” is defined herein as a parent, parent-in-law, spouse, child, spouse of a child, brother, brother-in-law, sister, sister-in-law, primary caregiver, or the domestic partner of a parent, child, brother or sister.

“Associated” as used below in connection with a business means a District employee or a member of the employee’s immediate family who is an officer, director, owner or employee of or has a material financial interest in the business.

“Conflict” or “Conflict of Interest” shall mean use by a District employee of the authority of the employee’s employment, or any confidential information received through the employee’s employment, for the private pecuniary benefit of the employee, a member of the employee’s immediate family or a business with which the employee or a member of the employee’s immediate family is associated. The term does not include an action having a de minimis economic impact, or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the employee, a member of the employee’s immediate family or a business with which the employee or a member of the employee’s immediate family is associated.

“Material Financial Interest” shall mean any financial interest in a legal entity engaged in business for profit where said interest comprises more than five percent (5%) of the equity of the business or more than five percent (5%) of the assets of the economic interest in indebtedness.

“Confidential Information” means information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.

Guidelines

All District employees shall be provided with a copy of this Board Policy and acknowledge receipt and understanding of the guidelines contained herein in writing in the manner set forth in the accompanying regulation.

Designated District employees shall file a statement of financial interests as required by law and regulations.

No District employee shall engage in conduct that constitutes a conflict of interest.

Standards of Conduct

The District maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and/or administration of contracts.

No employee may participate in the selection, award or administration of a contract if the employee has a conflict of interest as defined above, as well as any other circumstance in which the employee, any member of the employee's immediate family, the employee's business partner, or an organization which employs or is about to employ any of them, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The District may not enter into a contract valued at \$500 or more with the below individuals, unless the contract has been awarded through an open and public process including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the District employee shall not have any supervisory or overall responsibility for the implementation or administration of the contract.

- (1) a District employee;
- (2) a member of the District employee's immediate family;
- (3) any business in which the District employee or a member of the District employee's immediate family is associated; or
- (4) any business in which a District employee, a member of the employee's immediate family, or business in which any such individual is associated is a subcontractor.

When advertised formal bidding is not required or used, an open and public process shall include at a minimum:

1. Public notice of the intent to contract for goods or services;
2. A reasonable amount of time for potential contractors to consider whether to offer quotes; and
3. Post-award public disclosure of who made bids or quotes and who was chosen.

District employees 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 as defined in the accompanying regulation, and otherwise in accordance with Board policy.

Improper Influence

No person shall offer or give to a District employee, or a member of the employee's immediate family or a business with which the employee is associated, anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment based on the offeror's or donor's understanding that action or judgment of the District employee would be influenced thereby.

No District employee shall solicit or accept anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment, based on any understanding that the action or judgment of the District employee would be influenced thereby.

Reporting

No reprisals or retaliation shall occur as a result of good faith reports of conflicts of interest.

Investigation

Investigations based on reports of perceived violations of this policy shall comply with state and federal laws and regulations. No person sharing in the potential conflict of interest being investigated shall be involved in conducting the investigation or reviewing its results.

In the event an investigation determines that a violation of this policy has occurred, the violation shall be reported to the extent required by law.

Disciplinary/Corrective Actions

If an investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take and document prompt, corrective action to ensure that such conduct ceases and will not recur.

Violations of this policy may result in disciplinary action up to and including discharge, fines and possible imprisonment. Disciplinary and other corrective action shall be consistent with Board Policies, Administrative Regulations, applicable collective bargaining agreements and state and federal laws.

This Policy is intended to supplement, but not replace, any applicable state laws and regulations governing conflicts of interest, including, but not limited to, relevant provisions of the Pennsylvania Public School Code and the Pennsylvania Public Official and Employees Ethics Law, and the Uniform Administrative Requirements for Federal Awards.

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