



## Conflict of Interest Policy

The purpose of the following policy is to prevent the personal interest of staff members, board members, and volunteers from interfering with the performance of their duties to the school (MCS), or result in personal financial, professional, or political gain on the part of such persons at the expense of MCS or its members, supporters, and other stakeholders.

### *Definitions:*

*Conflict of Interest (also Conflict):* means a conflict, or the appearance of a conflict between the private interests and the official responsibilities of a person in a position of trust. Persons in a position of trust include staff members, officers, and board members of MCS.

*Board:* means the Governing Board

*Officer:* means an officer of the Governing Board

*Volunteer:* means a person -- other than a board member -- who does not receive compensation for services and expertise provided to MCS and retains a significant independent decision-making authority to commit the resources of the organization.

*Staff member:* means a person who receives all or part of his/her income from the payroll of MCS.

*Supporter:* means corporations, foundations, individuals, 501(c)(3) nonprofits, and other nonprofit organizations who contribute to MCS.

### **Policy**

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full Governing Board in all conflicts of interest, including but not limited to the following:
  - a. A board member is related to another board member by marriage or domestic partnership. Utah State Law prohibits relation to a staff member.
  - b. A staff member in a supervisory capacity is related (by blood or marriage, etc.) to another staff member whom she/he supervises.
  - c. A board member or their organization stands to benefit from an MCS transaction or staff member of such organization receives payment from MCS for any subcontract, goods, or services other than as part of her/his regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
  - d. A board member's organization receives grant funding from MCS.
  - e. A board member or staff member is a member of the governing body of a contributor to MCS.
  - f. A volunteer working on behalf of MCS who meets any of the situation or criteria listed above.
2. Following full disclosure of a possible conflict of interest or any conditions listed above, the Governing Board shall determine whether a conflict of interest exists and, if so the Board shall vote to authorize or reject the transaction or take any other action deemed



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necessary to address the conflict and protect MCS's best interests. Both votes shall be by a majority vote without counting the vote of any interested member, even if the disinterested members are less than a quorum provided that at least one consenting member is disinterested.

3. A Board member or Committee member who is formally considering employment with MCS must take a temporary leave of absence until the position is filled. Such a leave will be taken within the Board member's elected term which will not be extended because of the leave. A board member or committee member who is formally considering employment with MCS must submit a written request for a temporary leave of absence to the Chair of the Governing Board, c/o MCS's office, indicating the time period of the leave. The Administrative Assistant of MCS will inform the Chair of the Board of such a request. The Chair will bring the request to the Board for action. The request and any action taken shall be elected in the official minutes of the MCS.
4. An interested Board member, officer, or staff member shall not participate in any discussion or debate of the Governing Board, or of any committee or subcommittee thereof in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present board or committee member.
5. Anyone in a position to make decisions about spending MCS's resources (e.g., transactions such as purchase contracts) - who also stands to benefit from that decision - has a duty to disclose that conflict as soon as it arises (or becomes apparent); s/he should not participate in any final decisions.
6. A copy of this policy shall be given to all Board members, staff members, volunteers or other key stakeholders upon commencement of such person's relationship with MCS or at the official adoption of state policy. Each board member, officer, staff member, and volunteer shall sign and date the policy at the beginning of her/his term of service or employment and each year thereafter. Failure to sign does not nullify the policy.
7. This policy and disclosure form must be filed annually by all specified parties.