

The Board commits itself and its members to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members. It is the intent of this policy to protect the trust placed in the Board. The Board acting in its legislative capacity shall have the authority and responsibility to interpret and apply these standards of conduct.

1. In carrying out their fiduciary duties, a Board member shall not:

a. Disclose or use confidential information acquired in the course of official duties to further substantially personal financial interests

b. Use their position for a private advantage or personal financial or material gain.

c. Accept a gift of substantial value (or a substantial economic benefit which is the same as a gift of substantial value) which would tend to improperly influence a reasonable person in their position, or which he or she knows or should know is primarily for the purpose of rewarding them for official action taken.

d. Engage in a substantial financial transaction for their private business purposes with a person whom they supervise in the course of their official duties.

e. Perform an official act which directly and substantially confers an economic benefit on a business or other undertaking in which he or she has a substantial financial interest or in which he or she is engaged as a counsel, consultant, representative or agent.

f. Participate directly or indirectly in the purchasing process if the employee has a direct relationship with a vendor doing business with the school.

I. A direct relationship may include the business being owned by or employing a family member of the Board member.

II. Direct or indirect participation means involvement through decisions, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specifications or procurement standard, rendering of advice, investigation, auditing or acting in any other advisory capacity.

Crown Pointe Academy of Westminster
Conflict of Interest Policy
Page 2 of 3

g. The school shall not purchase goods or services from a business owned by an immediate family member of a Board member unless the goods or services are procured through a competitive process and determined to be in the school's best interest.

2. A Board member who has a personal or private interest in a matter proposed or pending before the Board shall disclose such interest to the Board, shall not vote on the matter, and shall not attempt to influence the decision of other members of the Board in voting on the matter. However, a member of the Board may vote notwithstanding the disclosed personal or private interest if his or her participation is necessary to obtain a quorum or otherwise enable the Board to act if he or she complies with the voluntary disclosure procedures under Colorado Revised Statutes Section 24-18-110. If a member votes under these circumstances, the member shall state for the record the fact and summary nature of the potential conflict of interest. The written disclosure to the secretary of state required under Section 24-18-110 shall list as applicable the amount of the member's financial interest, the purpose and duration of any services rendered, compensation received for services or such other information necessary to describe the interest.

3. The Board shall not hire any of its members as an employee of the school, nor shall the Board approve any compensation for a member for services rendered to the school except for services rendered to the Board as provided by law. Members may be reimbursed for authorized expenses in carrying out Board duties as provided by law.

4. A Board member may request an advisory opinion from the secretary of state concerning issues relating to personal conduct and potential conflict of interest.

5. It is permissible for a Board member to receive:

a. campaign contributions and contributions in kind which are reported in accordance with state law;

b. an occasional non-pecuniary gift which is insignificant in value;

c. a non-pecuniary award publicly presented by a nonprofit organization in recognition of public service;

d. payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which the Board member is scheduled to participate;

e. reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of the position;

Crown Pointe Academy of Westminster
Conflict of Interest Policy
Page 3 of 3

f. items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events (tickets to these events may have to be reported in accordance with the public official disclosure law); and

g. payment for speeches, appearances or publications reported in accordance with the public office disclosure law.

7. It is not considered a conflict of interest for a Board member to:

- a. use school facilities and equipment to communicate or correspond with constituents, family members or business associates; or
- b. accept or receive a benefit as an indirect consequence of transacting school business.

8. Each board member shall annually affirm that the member:

- a. Has received a copy of the Conflict of Interest Policy;
- b. Has read and understands the policy; and
- c. Has agreed to comply with the policy; and
- d. Understands the school is recognized by the IRS as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, and in order to maintain its federal tax exemption the school must engage primarily in activities which accomplish its tax-exempt purposes.]

Book	Board of Education Policies
SectionB	School Board Governance and Operations
Title	Board Member Conflict of Interest
Number	BCB
Status	Active
Legal	C.R.S. §§ 24-18-201 and 202 C.R.S. §§ 24-18-104, 109, 110 and 111 C.R.S. § 22-32-109(1)(y) Colo. Const., Art. X, Sect 13
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