

Modern Montessori Charter School

210 CONFLICT OF INTEREST – BOARD OF DIRECTORS

I. PURPOSE

The purpose of this policy is to ensure the Board of Directors does not engage in actions that create a conflict of interest.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school board (hereafter board) to conform to statutory conflict of interest laws and act in a manner that will avoid any conflict of interest or the appearance thereof.

III. CONFLICTING BUSINESS RELATIONSHIPS

- A. An individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.
- B. A violation of paragraph (b) renders a contract voidable at the option of the commissioner or the charter school board of directors. A member of a charter school board of directors who violates paragraph (b) is individually liable to the charter school for any damage caused by the violation.
- C. The board member conflict of interest provisions do not apply to compensation paid to a teacher employed by the school district who also serves as a member of the board.
- D. The board member conflict of interest provisions do not apply to a teacher who provides services to a school district through a cooperative formed under Minn. Stat. Ch. 308A when the teacher also serves on the board.

IV. LIMITATIONS ON RELATED EMPLOYEES

- A. B. The board may not employ any employee related by blood or marriage to a

board member, within the fourth degree, as computed by the civil law except by a unanimous vote of the full board.

V. CONFLICTS PRIOR TO TAKING OFFICE

A board member with personal financial interest in a sale, lease, or contract with the school district which was entered before the board member took office and presents an actual or potential conflict of interest, shall immediately notify the board of such interest. It shall thereafter be the responsibility of the board member to refrain from participating in any action relating to the sale, lease, or contract that the board may enter into or renew such sale, lease, or contract.

VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

The determination as to whether a conflict of interest exists is to be made by the board. Any board member who has an actual or potential conflict shall notify the board of such conflict immediately. The board member shall thereafter cooperate with the board as necessary for the board to make its determination.

Legal Reference: Minn. Stat. § 124E.07, Subd. 3 (Charter Schools; Membership Criteria)
Cross Reference: Modern Montessori Charter School Bylaws

Adopted: December 12, 2018

Amended: January 9, 2019

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