

**MILLINOCKET SCHOOL BOARD POLICY  
PURCHASING AND CONTRACTING: PROCUREMENT  
STAFF CODE OF CONDUCT**

**Conflict of Interest**

All employees of the Millinocket School Department shall perform their duties in a manner free from conflict of interest to ensure that the school unit's business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the schools.

No employee, officer or agent of the Millinocket School Department shall participate in the selection, award or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest.

A conflict of interest would arise when the employee or any member of his/her immediate family, his/her partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in the firm selected for the award. For the purpose of this policy, "immediate family" is defined as spouse, brother, sister, parent, son or daughter.

**Conflict of Interest Disclosure**

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Superintendent who will investigate the circumstances of the proposed transaction. The Superintendent will exercise due diligence in investigating the circumstances of the transaction and, if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Superintendent determines that the proposed transaction is in the best interest of the Millinocket School Department and is fair and reasonable, he/she may proceed with the transaction. In the event that the Superintendent may have a conflict of interest, an ad hoc subcommittee of the Board will investigate and make a determination regarding the transaction.

**Staff Gifts and Solicitations**

Employees, officers and agents of the Millinocket School Department may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts.

## **Violations**

of the Millinocket School Department who violate this code of conduct may be subject to discipline, up to and including termination of employment and, if appropriate, referral to law enforcement.

## **Conflict Resolution/Protests and Claims**

The Uniform Grant Guidance refers to “protests and claims.”

Boards should refer to the article in the August 2017 issue of Policy Development News, titled *Purchasing and Contracting Using Federal Funds: Complying with the Uniform Grant Guidance*, to review their options for a process to address protests and claims that may arise in the procurement of property, goods or services through the use of federal awards/grants.

Legal Reference: 34 CFR Parts 74 and 80 (Education Department General Administrative Regulations (‘EDGAR’) (for federal awards made prior to 12/26/2014)  
2 CFR §200.318 (Uniform Administrative Requirements – General Procurement Standards) (for federal awards made on or after 12/26/2014)

Cross Reference: DJ - Bidding/Purchasing Requirements  
DJ-R – Federal Procurement Manual

1<sup>st</sup> Reading: 12-21-10

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1<sup>st</sup> Reading: 6-6-17

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