

CODE: DJH

PURCHASING AND CONTRACTING: PROCUREMENT STAFF CODE OF CONDUCT

Conflict of Interest

All employees of the Kittery School Department shall perform their duties in a manner free from conflict of interest to assure the proper performance of school business as well as to earn and keep public confidence. No employee of the school department with a real or an apparent conflict of interest in a proposed transaction shall participate in the selection, award, or administration of a contract pursuant to the transaction.

Conflict of interest is defined as when an interested party has a financial interest in the firm selected for the award. Interested party is defined as 1) the employee; 2) a member of the employee's immediate family; 3) his/her partner; or 4) an organization that employs or is about to employ a person described above.

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 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 Kittery School Department and is fair and reasonable, it may proceed with the transaction. In the event that the Superintendent may have a conflict of interest, an ad hoc committee of the School Committee will investigate and make a determination regarding the transaction.

Staff Gifts and Solicitations

Kittery School Department employees are prohibited from accepting money or things of material value from persons or entities doing business with, or desiring to do business with, the school unit. Employees may accept unsolicited items of nominal value (\$25.00) such as those that are generally distributed by a company or organization through its public relations program.

Violations

Employees of the Kittery 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.

Legal Reference: 34 CFR 74.40-74.48; 80.36 (Education Department General
Administrative Regulations (EDGAR)
Commissioner's Administrative Letter No. 6, June 18, 2006 (Fiscal Compliance)

Cross Reference: BCB - School Committee Member Conflict of Interest
DJ - Bidding/Purchasing Requirements
GBI - Staff Gifts and Solicitations
KHC - Public Gifts/Donations to the Schools

Adopted: July 12, 2011