



Series 9000: **Bylaws**

CONFLICT OF INTEREST AND NEPOTISM

I. Purpose

The purpose of this conflict of interest policy is to protect against any real or perceived conflict of interest among Side by Side Charter School's Board of Directors or its employees. Connecticut General Statutes § 10-66bb(d)(3) requires that no member of the charter school board or employee of the charter school board have a personal or financial interest in the assets, real or personal, of the school. This policy is intended to supplement this statute, as well as any applicable state and federal laws governing conflicts of interest applicable to charter schools. This policy does not override Side by Side Charter School's requirement to have teachers employed by Side by Side Charter School on its governing council.

II. Conflict of Interest

1. Interested Person

Any Board member or employee of the Board who has a direct financial interest in the real or personal assets of the school, as defined below, is an interested person.

2. Duty to Disclose

In connection with any actual or possible conflict of interest, a potentially interested Board member must disclose the existence of the financial interest and all other material facts to the Executive Director and other members of the governing board concerning such interest or the proposed transaction or arrangement that would create such financial interest.

A potentially interested employee must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Executive Director of the School.

3. *Determining Whether a Conflict of Interest Exists*

If the potentially interested person is a Board member, after disclosure of the real or possible financial interest and all material facts, and after any discussion with the potentially interested Board member, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

If the potentially interested person is an employee, the disclosure will be brought by the Executive Director to the Board to determine if a conflict of interest exists.

4. *Procedures for Addressing the Conflict of Interest*

- a. The Board shall determine whether the conflict is one that would require that the interested person be removed from his or her role on the Board or employment with the school. An interested person may make a presentation on his or her behalf at a governing board or committee meeting in executive session, but after the presentation he/she shall recuse him/herself during the discussion of, and the vote on whether the conflict requires full removal from the Board of Directors or employment with the school. The potentially interested person may require that the presentation and resulting discussion take place in public session. If applicable, the Board may also vote on whether to enter into the transaction or arrangement that would create the conflict of interest for the Board member or Employee.
- b. Any voting member of the Board having an interest in any contract that Side by Side Charter School has with an outside contractor shall recuse him or herself from any discussion or vote involving such contract.

5. *Violations of the Conflict of Interest Policy*

- a. If the Executive Director has reasonable cause to believe that an employee has failed to disclose a possible conflict of interest, the Executive Director shall inform the employee of the basis for such belief and afford him/her an opportunity to explain the alleged failure to disclose.
- b. If the governing board or committee has reasonable cause to believe that a member has failed to disclose an actual or possible conflict of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- c. If, after hearing the member or employee's response and after making further investigation as warranted by the circumstances, the Executive Director or the Board of Directors determines that the member or employee has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary action. Any disciplinary action taken

against a Board member shall be in accordance with the Bylaws of the Board. Discipline for an employee's failure to disclose will be determined and administered by the Executive Director.

6. *Compensation*

A voting member of the governing board or any committee of the Board who receives compensation, directly or indirectly, from Side by Side Charter School for services is precluded from voting on matters pertaining to that member's compensation, evaluation or any other terms and conditions of his or her employment as applicable.

III. Nepotism

1. In order to avoid both the reality and appearance of nepotism, Side by Side Charter School Board members and school administrators shall not employ or accept application for hire from any teacher or other employee if such teacher or other employee is the father, mother, brother, sister, half-brother, half-sister, wife, husband, domestic partner in a civil union, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of a school administrator or any member of the Board. A Board member or administrator who has an existing familial relationship with an employee, as defined above, or who has had a change in circumstances which creates a relationship with any employee of the school system, shall declare such relationship as soon as possible.
2. Furthermore, no individuals shall be appointed to any full-time, part-time or temporary position which would create a supervisor/employee relationship within Side by Side Charter School between two individuals who are related. The degrees of relationship, included in this restriction, are as follows: parent, child, grandparent, grandchild, brother, half-brother, sister, half-sister, uncle, aunt, nephew, niece, first cousin, husband, wife, stepparent, stepchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, guardianship relationships, partner in a civil union, and same-sex marriage. If a change in circumstances creates a relationship of this degree between an employee and his or her supervisor, Side by Side Charter School reserves the right to seek a transfer of either employee in order to resolve the conflict.

Legal Reference:

Connecticut General Statutes

10-66bb (d) Application process and requirements.

10-66dd Charter schools subject to laws governing public schools.