



8510

Conflict of Interest

Policy 8510

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I. PURPOSE

The purpose of this policy is to establish the commitment of the Board of Directors to engage in District business activities in accordance with law and in a manner designed to avoid any conflict of interest or appearances of impropriety.

II. GENERAL STATEMENT OF POLICY

- A. The Board of Directors of Special School District No. 1, Minneapolis Public Schools will contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflicts of interest or the appearances thereof.
- B. The Board will contract under the exceptions to the statutory prohibition only when it is clearly in the best interests of the District because of limitations that may exist on the goods or services provided in the contract that are otherwise available to the District.
- C. All contracts under the statutory exceptions must be in accordance with law and by a unanimous vote.
- D. The Board will not employ a teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full Board.
- E. The Board will not contract with a class of school district employees where the spouse of a Director is a member of the class, unless
 1. the spouse of the Director receives no special monetary or other benefit that is substantially different from that other members of the class receive under the contract;
 2. the Director spouse abstains from voting regarding the contract; and
 3. the essential facts of the contract are publicly set out at the meeting where the contract is approved.
- F. In the event that a Director has a personal financial interest in a sale, lease or contract with the District which was entered into before the Director took office and presents an actual or potential conflict of interest, the Director shall:
 1. disclose such interest immediately upon discovery to the Board; and
 2. refrain from participating in any action related to that interest.
- G. If a contract for sale, lease or purchase that meets the criteria of Paragraph II.F. above is considered for renewal, the contract will only be renewed if it meets one of the



statutory exceptions to the general prohibition, and the contract negotiations and conclusion follow the procedures required by law.

III. RESPONSIBILITY

- A. It is the responsibility of every Director to disclose any actual or potential conflict of interest to notify the Board immediately upon discovery of such a conflict.
- B. The determination of whether or not a conflict of interest exists is to be made by the board.
 - 1. Directors with actual or potential conflicts shall cooperate with other Directors in the process of determining whether or not a conflict exists.
 - 2. Findings of the Board on conflicts shall be made publicly.

Legal References:

Minn. Stat. §122A.40, Subd. 3 (Employment; Contracts; Termination: Hiring, Dismissing)
Minn. Stat. §123B.195 (Board Members' Right to Employment)
Minn. Stat. §471.87 (Public Officers, Interest in Contract; Penalty)
Minn. Stat. §471.88 (Exceptions)
Minn. Stat. §471.89 (Contract, When Void)

Cross References:

MPS Policy 3000 (Conflicts of Interest and Fiduciary Duty)
MPS Policy 3001 (Gifts to District Personnel)
MPS Policy 3003 (Nepotism)
MPS Policy 8110 (Purposes and Role of the Board)
MPS Policy 8410 (Duties of Directors)