

Purchasing and Contracting:
Procurement Staff Code of Conduct

Conflict of Interest

All employees of MSAD 52 shall perform their duties in a manner free from conflict of interest to ensure that MSAD 52'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 MSAD 52 may participate in the selection, award or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.

A conflict of interest would arise when the employee, officer, or agent – or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein – has a financial or other interest in the tangible personal benefit from a firm considered for a contract. For the purpose of this policy, “immediate family” is defined as spouse, brother, sister, parent, son or daughter.

Conflict of Interest Disclosure

All employees, officers or agents with a real or apparent conflict 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 MSAD 52 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 subcommittee of the school board will investigate and make a determination regarding the transaction.

Gifts and Solicitations

The employees, officers, and agents of MSAD 52 may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Employees, officers, and agents of MSAD 52 may accept unsolicited items of nominal value such as those that are generally distributed by a company or organization through its public relations program.

Violations

Employees of MSAD 52 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 Parts 74 and 80 (Education Department General Administrative Regulations (“EDGAR”) (for federal awards made prior to 12/26/2014)

2 CFS § 200:318 (Uniform Administrative Requirements – General Procurement Standards) (for federal awards made on or after 12/26/2014)

Cross Reference: BCB – School Board Member Conflict of Interest
DJE – Bidding/Purchasing Requirements
DJ-R – Federal Procurement Manual

Adopted: September 2007

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