

## **Policy 210.1 CHARTER SCHOOL BOARD MEMBERS AND AUTHORIZER CONFLICT OF INTEREST**

### **I. PURPOSE**

The purpose of this policy is to observe state statutes regarding conflicts of interest for charter school board members, Northfield Public Schools, and to engage in charter school business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

### **II. GENERAL STATEMENT OF POLICY**

The policy of the charter school board is to conform with statutory conflict of interest laws and act in a manner that will avoid any conflict of interest or the appearance thereof. As an authorizer, Northfield Public Schools does not run charter schools; it functions to carry out monitoring and oversight, to assure compliance with the law, and support the establishment and success of innovative and successful public charter schools. Therefore, Northfield Public Schools shall not enter into the following types of contracts with schools it authorizes: financial management, administration, accounting or auditing services, or lease of space.

### **III. CONFLICTING BUSINESS RELATIONSHIPS**

- A. An individual is prohibited from serving as a member of the board of directors of a charter school if the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities. An individual is prohibited from serving as a board member if an immediate family member is an employee of the school. A violation of this prohibition renders a contract voidable at the option of the Commissioner of Education (Commissioner) or the charter school board of directors. A member of a charter school board of directors who violates this prohibition is individually liable to the charter school for any damage caused by the violation. An individual may serve as a member of the board of directors if no conflict of interest under this paragraph exists.
- B. No member of the board of directors, employee, officer, or agent of a charter school shall participate in selecting, awarding, or administering a contract if a conflict of interest exists. A conflict exists when: (1) the board member, employee, officer, or agent; (2) the immediate family of the board member, employee, officer, or agent; (3) the partner of the board member, employee, officer, or agent; or (4) an organization that employs, or is about to employ, any individual in clauses (1) to (3), has a financial or other interest in the entity with which the charter school is contracting. A violation of this provision renders the contract void. Before Northfield Public Schools would offer any other services to schools, such as training, the School Board will first obtain clarification to confirm that provision of such services is allowed to charter school authorizers.

- C. Any employee, agent, or board member of the authorizer of a charter school who participates in the initial review, approval, ongoing oversight, evaluation, or the charter renewal or nonrenewal process or decision is ineligible to serve on the board of directors of a school chartered by that authorizer.
- D. The charter school board member conflict of interest provisions do not apply to compensation paid to a teacher employed as a teacher by the charter school or a teacher who provides instructional services to the charter school through a cooperative formed under Minn. Stat. Ch. 308A when the teacher also serves on the charter school board of directors.
- E. A charter school board member, employee, or officer is a local official with regard to the receipt of gifts. A board member, employee, or officer must not receive compensation from a group health insurance provider.

#### **IV. RESPONSIBILITIES**

Northfield Public Schools' responsibilities as an authorizer require that it provide comprehensive oversight of its chartered schools. Northfield Public Schools is a legally authorized agency to help ensure public accountability for the schools that Northfield Public Schools authorizes. Northfield Public Schools will operate in a monitoring relationship providing feedback on compliance, sharing observations, asking questions, facilitating sharing of effective practices and evaluating school performance based on the Northfield Public Schools-School contract and law to help ensure the success of the schools that Northfield Public Schools authorizes.

In addition, Northfield Public School's contract language will provide that, except as otherwise provided in the contract itself or by Applicable Law, the Authorizer has no authority, control, power, administrative or financial responsibility over the School.

The sole purpose of Northfield Public Schools, as an authorizer, is to authorize public charter schools in accordance with all Minnesota Statutes that govern the duties and responsibilities of charter school authorizers. Contracts with authorized schools will provide that the schools have the full extent of autonomy allowed to Minnesota charter schools under the law, and that except as otherwise provided by the authorizer contract or Applicable Law, the authorizer has no authority, control, power, administrative or financial responsibility over the School.

#### **Policy 210.1 Charter School Board Members and Authorizer Conflict of Interest**

Approved: 10/10/16; Revised: 07.01.19

School Board  
INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

Legal References: Minn. Stat. § 10A.071, Subd. 1 (Certain Gifts by Lobbyists and Principals Prohibited)  
Minn. Stat. § 124E.07 (Board of Directors)

Minn. Stat. § 124E.14 (Charter Schools; Conflicts of Interest)  
Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)