

## **EUT POLICY ON PROCUREMENT STAFF CODE OF CONDUCT**

### Conflict of Interest

All employees of Education in Unorganized Territory (EUT) 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, officer, or agent of EUT with a real or apparent conflict of interest in a proposed transaction shall participate in the selection, award or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest.

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 (spouse, son, daughter, parent, brother, sister); 3) his/her partner; or 4) an organization that employs or is about to employ a person described above.

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

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### Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Director of State Schools who will investigate 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 Director of State Schools determines that the proposed transaction is in the best interest of EUT and is fair and reasonable, it may proceed with the transaction.

Employees shall act in good faith to discharge their duties to ensure the fair and equitable treatment of all persons involved in the purchasing process; to foster public confidence in the integrity of the procurement process; to ensure the appropriate application of purchasing ethics. Each person employed by the EUT , when engaging in procurement, shall be bound by this code, including but not limited to the following:

1. Avoid the intent and appearance of unethical behavior or practices;
2. Diligently follow the procurement laws, rules, and procedures;
3. Refrain from any activity that would create a conflict between personal interests and the interests of EUT and State;
4. Identify and eliminate any conflicts of interest;
5. Avoid soliciting or accepting money, loans, credits, discounts, favors, or services from present or potential suppliers which may influence or appear to influence purchasing decisions;
6. Ensure that all persons are afforded equal opportunity to compete in a fair and open environment;
7. Carry out procurement roles and responsibilities in a manner that maintains and communicates trust and confidence in the integrity of the procurement process;

8. Behave honorably and with the utmost integrity and due diligence in a professional manner in all activities that involve the procurement process;
9. Seek to protect taxpayer dollars by obtaining maximum value for each dollar of expenditure for the procurement of goods and services;
10. Provide prompt and courteous service in good faith, devoid of any bias, to all persons and entities using the procurement process; and
11. Conduct and maintain the procurement process with the utmost transparency in order to maintain public trust, recognize the need for confidentiality on occasion to protect the integrity of the procurement process for users.

#### Staff Gifts and Solicitations

Employees, officers, and agents of EUT may neither solicit nor accept gratuities, Favors or anything of monetary value from contractors or parties to subcontracts.

Employees, officers and agents of the school unit 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 EUT who violate this code of conduct shall be subject to discipline, which may include 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 CFR §200.318 Uniform Administrative Requirements – General Procurement Standards ( for federal awards made on or after 12/26/2014)

Cross Reference: DJ – Bidding/Purchasing Requirements  
DJ-R – Federal Procurement Manual  
BCB, Board Member Conflict of Interest  
GBEA, Staff Ethics/Conflict of Interest  
KCD, Public Gifts and Donations to Schools

Reviewed May 2022