

Policy Committee Notes

4/9/19

Present: Amy Fowler, James Barrett, and Rani Dasi. Also present: Erika Newkirk and Donna Wyatt

Chapel Hill-Carrboro City Schools (CHCCS) Board Policy 7730 outlines expectations for employee conflict of interest.

The purpose of this presentation to the policy committee is to make applicable recommended changes while determining additional needs for clarification.

Policy 7730: The policy has been reformatted to provide the following:

- Revises the introductory paragraph to more clearly explain the board's expectations of employees. **(Recommended)**
- Reorganizes the policy into separate sections on conflicts related to contracts, misuse of information, non-school employment, and receipt of gifts. **(Recommended)**
- Adds a new provision to Section A to address conflicts of interest related to contracts supported by federal funds. **(Strongly recommended)**
- Revises statement in subsection A.3 to align with state law. **(Strongly recommended)**
- Adds a new statutory exception in Section A for employment contracts between the board and the superintendent's spouse. **(Recommended)**
- Adds new information in Section B to prohibit misuse of information, in accordance with state law requirements. **(Strongly recommended)**
- Revises statement in subsection C.5 to be consistent with the paragraph that follows the statement. **(Recommended)**
- Adds a statement to Section C to clarify that all sections of the policy apply to the superintendent. **(Recommended)**
- Expands Section D, Receipt of Gifts, to:
 - prohibit "solicitation" and acceptance of gifts;
 - provide additional examples of prohibited gifts and gifts that may be accepted;
 - define nominal value in accordance with policy 8305 so that there is a uniform standard applicable to receipt of gifts in all circumstances; and
 - specify that separate rules apply to employees involved in purchasing and procurement activities. **(Strongly recommended)**
- Adds new Section E to address reporting of a violation and consequences for violations. **(Recommended – see Note 1)**
- Updates the legal references. **(Strongly recommended)**
- Updates the cross references. **(Recommended)**

Note 1: Boards that use federal funds in procurement activities must comply with federal regulations which require the imposition of disciplinary consequences for violation of the federal

conflict of interest and gifting rules found in 2 C.F.R. 200.318(c)(1). For this reason, boards should adopt at least the last sentence of Section E.

Note 2: Policies 2121, 6220, 6401/9100, 7730, and 8305 all address conflict of interest rules, but differ with respect to whom they apply and under what circumstances, and with respect to the application of state law and federal regulations. To the extent that these policies have provisions in common, they have been revised to make them consistent with each other.

Additional points of clarification:

1. A3. Should family members be included? **Response: yes, and specify who they are (add immediate to family members).**
Add employment covered in Policy 7100
2. C. Should board chair be notified? **Response: continue with present practice**
3. C. Does an honorarium count as employment? **Response: keep a log of honorariums and notify the board quarterly - no prior approval needed.**
4. F. Should tutoring for pay be allowable before school? **Should be the same as for after School.**
Ask Mr. Soo if “preceding school year” can be removed from line 8 under F or is this state Law?
On line 9 under F, revise is approved by the principal to must be approved by the principal.

Policy 7305: Employee Conduct Away from School

Committee requested that Mr. Soo and Ms Newkirk review the policy and whether international law should be included.

Policy 1100: Governing Principles

Ms Dasi asked that this policy be reviewed. She provided copies of Orange County Schools and CMS equity policies. The committee discussed and asked that Ms Williams and Mr. Williams reviewed Policy 1100 and to use the OCS and CMS policies to update 1-7.

Committee Notes

The committee asked that a section be added to the Board page on the CHCCS website to include information about committee meetings and where notes may be posted. Ms Wyatt will work with Mr. Nash and IT to get this set up over the next few months.