

**PURCHASING AND CONTRACTING:
PROCUREMENT STAFF CODE OF CONDUCT**

Conflict of Interest

All employees of the Brunswick School Department 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 of the Brunswick School Department with a real or an apparent conflict of interest in a proposed transaction shall participate in the selection, award or administration of a contract pursuant to the transaction.

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; 3) his/her partner; or 4) an organization that employs, or is about to employ a person described above.

Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the superintendent of schools who will investigate the circumstances of the transaction. The superintendent of schools will exercise due diligence in investigating the circumstances of the transaction or arrangement that would give rise to a conflict of interest. If the Superintendent of School determines that the proposed transaction is in the best interest of the Brunswick School Department and is fair and reasonable, it may proceed with the transaction. In the event that the superintendent of schools may have a conflict of interest, an adjunct committee of the school committee will investigate and make a determination regarding the transaction.

Staff Gifts and Solicitations

Brunswick School Department employees are prohibited from accepting money or things of material value from persons or entities doing business with, or desiring to do business with, the school unit. Employees 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 the Brunswick School Department 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.

Dispute Resolution

A bidder or respondent to a request for a proposal (RFP) may protest a procurement or contract award if he/she believes that it was made in a manner inconsistent with Board policy, specifications, or law or regulations. A protest must be submitted to the Superintendent in writing within five business days after receipt of notification of the award being made, with all documents supporting the protest.

The Superintendent shall review the protest and supporting documents and render a decision in writing within 20 business days of receipt of the protest.

The Superintendent may also convene a meeting with the bidder or respondent to attempt to resolve the problem.

If the bidder or respondent is not satisfied with the Superintendent's decision, he/she may appeal to the Board. The Superintendent will provide reasonable notice to the bidder or respondent of the time for the Board's consideration of the protest. The Board's decision shall be final.

*Legal Reference: 34 CFR 74.40-74.48; 80.36 (Education Department General Administrative Regulations (EDGAR))
Commissioner's Administrative Letter No. 6, June 18, 2006 (Fiscal Compliance)*

Adopted: 5/9/2018

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