

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(LOCAL)

Each Board member shall provide to the District in a timely manner information necessary for the District's annual financial management report. [See CFA]

On or before September 1st of each calendar year, each Board member shall file an affidavit disclosing the nature and extent of any substantial interest in a business entity or in real property. If the Board member does not have a substantial interest in a business entity or in real property, the Board member must nonetheless file an affidavit disclosing no interests. [See BBFA (LEGAL)]

**PURCHASING AND ACQUISITION
VENDOR RELATIONS**

**CHE
(LOCAL)**

**REPORTING GIFTS
AND ENTERTAINMENT
PROVIDED TO BOARD
MEMBERS AND
SENIOR DISTRICT
EMPLOYEES**

In an effort to promote transparency and impartial decision making, the District has adopted the following procedures for reporting gifts, awards, and mementos given by vendors to Board members and senior District employees and/or entertainment expenses made by vendors on behalf of Board members and senior District employees.

In order to achieve these objectives, the Board requires the reporting of any gift, award, or memento given by a vendor to a Board member or a senior District employee, or to the spouse of a Board member or senior District employee, the value of which exceeds \$50 in the aggregate during any six-month period.

The Board also requires the reporting of any entertainment expense made by a vendor for a Board member or a senior District employee, or the spouse of a Board member or senior District employee, which exceeds \$50, excluding taxes and gratuities, as further described below:

DEFINITIONS

1. The term "vendor" shall mean any person who enters or seeks to enter into a written contract with the District for the sale or purchase of real property, goods, or services, and includes professional service providers.
2. The term "senior District employee" includes the following:
 - a. Superintendent;
 - b. Chief financial officer;
 - c. Chief academic officer;
 - d. Chief of staff; and
 - e. Director of purchasing.
3. The term "entertainment expense" includes any activity generally considered to provide entertainment, amusement, or recreation, and includes meals or light refreshments.
4. The term "gift" does not include lawful contributions to a Board member's campaign fund that fall within legal limits.

**REPORTING
REQUIREMENTS FOR
ENTERTAINMENT
EXPENSES**

The requirement for a vendor to report entertainment expenses applies in the following circumstances:

1. Any single expenditure made by a vendor exceeding \$50, excluding taxes and gratuities, on behalf of any Board member, senior District employee, and/or his or her spouse/guest.
2. Each expenditure made by a vendor exceeding \$50, excluding taxes and gratuities, during an official convention, confer-

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ence, or other training session for individual and/or group entertainment of Board members, senior District employees, and/or their spouses/guests. The total entertainment expense for each expenditure shall not exceed \$50 per Board member, senior District employee, and/or spouse/guest entertained.

In the event that a convention, conference, or other training session is sponsored by the District, the total cost of the event shall not exceed \$50 per Board member, senior District employee, and/or spouse/guest in attendance. Spouses/guests in attendance shall be required to reimburse the District for the cost of attendance. At no time shall the costs of alcoholic beverages be incurred by the District.

Vendors are prohibited from "splitting" the costs of entertainment among individual partners/principals in order to exceed the \$50 limitation imposed by this policy.

Board members may not participate in group entertainment in which there are verbal exchanges about public business or policy if such gathering would be considered a "meeting" under the Open Meetings Act, Chapter 551, Government Code.

REPORTING PROCESS

The District requires the following persons to make a report of any gift, award, or memento given to and/or entertainment expense made for a Board member or a senior District employee, or to the spouse of a Board member or senior District employee, the value of which exceeds the applicable maximum amount described in this policy:

1. A representative of any vendor who provides a gift, award, or memento and/or makes an entertainment expense in excess of the amounts described in this policy.
2. Any Board member who receives a gift, award, or memento from a vendor in excess of the amount described in this policy. The Board member shall also report any gift, award, or memento from a vendor in excess of the amount described in this policy given to the Board member's spouse.
3. Any senior District employee who receives a gift, award, or memento from a vendor in excess of the amount described in this policy. The senior District employee shall also report any gift, award, or memento from a vendor in excess of the amount described in this policy given to the senior District employee's spouse.

The report shall be made on a disclosure form created by the Superintendent or designee and shall include the following information:

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1. The vendor's full name and address;
2. The name under which the person normally conducts business and the person's business phone number and address;
3. If applicable, the full name and address of each person:
 - a. Who reimburses, retains, or employs the person to communicate directly with a Board member or senior District employee; and
 - b. On whose behalf the person has communicated directly with a Board member or senior District employee.
4. The name of the Board member or senior District employee (or spouse/guest) on whose behalf the gift, award, memento, and/or entertainment expense is given or made;
5. The place and date of the gift, award, memento, and/or entertainment expense; and
6. A description and value of the gift, award, memento, and/or entertainment expense given or made by the vendor.

Completed forms must be submitted to the Superintendent or designee not later than 30 days after the gift, award, or memento was presented by the vendor or following the vendor's entertainment expenditures.

CONSEQUENCES FOR
POLICY VIOLATIONS

Violations of this policy by vendors may lead to disqualification of the vendor for selection of future District contracts for the provision of goods or services for a period of two years and, in extreme circumstances, cancellation of contracts the awarding of which was influenced by the gift, award, memento, or entertainment expense.

Any senior District employee who fails to report a gift, award, memento, or expenditure for entertainment described in this policy, or a gift, award, memento, or expenditure for entertainment on behalf of his or her spouse or guest described in this policy, is subject to discipline, up to and including termination of employment.

Any Board member who fails to report a gift, award, memento, or expenditure for entertainment described in this policy, or a gift, award, memento, or expenditure for entertainment on behalf of his or her spouse or guest described in this policy, is subject to censure by the Board.

VENDOR CONTACT
PROHIBITED

No Board member may, outside of a public meeting, have direct or indirect communication with an actual or prospective bidder or offeror relating to a request for proposals/qualifications or an adver-

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tisement for bids issued by the District during the following time period:

1. After the District has issued the request for proposals/qualifications or has advertised for bids on a contract; and
2. Before the Board has awarded the contract that was the subject of the request for proposals/qualifications or the advertisement for bids.

If a Board member violates this prohibition by engaging in direct or indirect communication with a bidder or offeror, the Board shall reject the bid or offer of the bidder or offeror.

Notwithstanding the above, a Board member may have indirect communication with an actual or prospective bidder or offeror if:

1. The Board member has a substantial interest, as determined under Local Government Code 171.002, in a business entity or in real property, and the Board member complies with the reporting requirements of Local Government Code Chapter 171, if applicable, [see CHE(LEGAL)] and:
 - a. The business entity is an actual or prospective bidder or offeror responding to the District's request for proposals/qualifications or advertisement for bids and the communication relates to the business entity's response; or
 - b. The real property is offered in response to the District's request for proposals/qualifications or advertisement for bids and the communication relates to the real property.
2. The communication occurs at a trade show or convention at which the bidder or offeror was a registered participant and the Board member discloses at a public meeting of the Board that the communication occurred before the earlier of:
 - a. One week after the date the communication occurred; or
 - b. The date on which the Board votes on the request for proposals/qualifications or advertisement for bids for which the bidder or offeror submitted a proposal/qualification or bid.

These provisions also do not pertain to direct or indirect communications between Board members and professional service firms who serve at the pleasure of the Board. Professional service firms include, but are not limited to, the Board's legal counsel and any professional service defined under the Professional Services Pro-

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curement Act, Chapter 2254, Government Code. [See also
CH(LEGAL)]

CONTACT WITH
DISTRICT EMPLOYEES

Except for the Superintendent and/or the District's legal counsel, District employees who are directly involved with a request for proposals/qualifications or an advertisement for bids by the District shall not have direct or indirect contact with individual Board members to discuss such requests for proposals/qualifications or advertisements for bids. All communication between District employees, other than the Superintendent and/or the District's legal counsel, and the Board regarding requests for proposals/qualifications and advertisements for bids shall be conducted during Board meetings at which the specific request for proposals/qualifications or advertisement for bids is listed as an agenda item.

DISCLOSURE FORMS

Each request for proposals/qualifications and/or advertisement for bids issued by the District shall include a disclosure form on which prospective vendors must list:

1. Vendor campaign contributions to Board members;
2. Vendor gifts and entertainment expenses expended upon a Board member;
3. Any contacts between the vendor and a Board member; and
4. Vendor gifts and entertainment expenses expended upon District employees directly or indirectly involved in the request for proposals/qualifications or advertisement for bids.

In addition to the above disclosure form, prospective vendors must file a conflict of interest questionnaire disclosing any (1) employment or other business relationship with an officer of the District, or a family member of the officer or (2) gifts given to an officer of the District, or a family member of the officer. If the prospective vendor (1) does not have an employment or other business relationship with an officer of the District, or a family member of the officer or (2) has not given an officer of the District, or a family member of the officer, one or more gifts, the vendor must nonetheless file a questionnaire disclosing no relationships or gifts. [See CHE (LEGAL)]

On or before September 1st of each calendar year, vendors with a current contract or purchase order valued at \$25,000 or more must file a conflict of interest questionnaire disclosing any (1) employment or other business relationship with an officer of the District, or a family member of the officer or (2) gifts given to an officer of the District, or a family member of the officer. If the vendor (1) does not have an employment or other business relationship with an officer of the District, or a family member of the officer or (2) has not given

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INITIAL
IMPLEMENTATION OF
POLICY

an officer of the District, or a family member of the officer, one or more gifts, the vendor must nonetheless file a questionnaire disclosing no relationships or gifts. [See CHE (LEGAL)]

Upon approval by the Board, this policy shall become effective as of October 1, 2015. Following the effective date of this policy, the Superintendent or designee shall ensure that a copy of this policy is included in all prerequisites/instructions for requests for proposals/qualifications.

From the date of Board approval through September 30, 2015, all Board members, senior District employees, and current vendors shall be notified of this policy. Priority notification of selected vendors shall be coordinated by the Board President and Superintendent.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

DISCLOSURE —
GENERAL STANDARD

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

SPECIFIC
DISCLOSURES

SUBSTANTIAL
INTEREST

The Superintendent shall file an affidavit with the Board President disclosing a substantial interest, as defined by Local Government Code 171.002, in any business or real property that the Superintendent or any of his or her relatives in the first degree may have.

Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee has a substantial interest, as defined by Local Government Code 171.002, shall file an affidavit with the Superintendent.

On or before September 1st of each calendar year, the Superintendent and any employee having a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest shall file an affidavit disclosing the nature and extent of any substantial interest in a business entity or in real property. If the Superintendent or employee does not have a substantial interest in a business entity or in real property, the Superintendent or employee must nonetheless file an affidavit disclosing no interests. [See DBD (LEGAL)]

INTEREST IN
PROPERTY

The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.

CONFLICTS
DISCLOSURE
STATEMENT

No employee other than the Superintendent and any employee with fiscal duties and responsibilities, including the selection, award and administration of contracts, shall be required to file the conflicts disclosure statement, as promulgated by the Texas Ethics Commission and as specified by Local Government Code 176.003–.004.

ANNUAL FINANCIAL
MANAGEMENT
REPORT

The Superintendent, as the executive officer of the District, shall provide to the District in a timely manner information necessary for the District's annual financial management report.

[See BBFA]

GIFTS

An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities. [See CAA]

ENDORSEMENTS

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs

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or retains the District employee during nonschool hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

SALES

An employee shall not use his or her position with the District to attempt to sell products or services.

NONSCHOOL
EMPLOYMENT

An employee shall disclose in writing to his or her immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

PRIVATE TUTORING

An employee shall disclose in writing to his or her immediate supervisor any private tutoring of District students for pay.