

ALMA D'ARTE CHARTER HIGH SCHOOL
EMPLOYEE POLICY

Policy No. EP0005
Adopted: 02/18/20
Amended:

SUBJECT: EMPLOYEE CONFLICT OF INTEREST

PURPOSE: To implement the policy that prohibits Alma d'arte employees from engaging in or having financial interest in any activity that conflicts or raises a reasonable question of conflict with his or her duties and responsibilities.

BACKGROUND: It is essential that all Alma d'arte employees maintain the highest ethical standards in all transactions with the school; with state, federal and local governments; with other public institutions and private businesses; and with the general public. Alma d'arte employees shall perform their duties faithfully and efficiently and without any conflict of interest or the appearance or suspicion of a conflict of interest with the charter high school.

DEFINITIONS:

- (A) "Employee" means all individuals who are employed by Alma d'arte Charter High School either full-time or part-time.
- (B) "Conflict of interest" means any situation or circumstance in which an employee of Alma d'arte personally benefits at the expense of the public interest.
- (C) "Family" means spouses, fathers, fathers-in-law, mothers, mothers-in-law, brothers, brothers-in-law, sisters, sisters-in-law, sons, sons-in-law, daughters, daughters-in-law, domestic partners or persons held as such are considered to be family members for purposes of this policy.

REQUIREMENTS:

This policy applies to all Alma d'arte employees (faculty and staff).

- (A) Employees shall not participate directly or indirectly in a procurement when the employee knows that he/she, or any member of the employee's family, has a financial interest in the business seeking or obtaining a contract, in accordance with the New Mexico State Procurement Code §13-1-28, 193, NMSA 1978.
- (B) Employees of Alma d'arte shall not accept favors or gratuities from any firm, person or corporation that is engaged in, or attempting to engage in, business transactions with the charter high school that is in conflict with GC Policy: Solicitation and Receipt of Gifts by Staff (Policy No. EP0007).

- (C) Employees shall:
1. Avoid any conflict of interest that may affect their independent judgment in the impartial performance of their duties;
 2. Not use their position of employment to enhance their direct or indirect financial interest;
 3. Not use confidential information learned as employees of Alma d'arte for anyone's private gain (§13-1-195 NMSA 1978).
- (D) No employee shall have any direct or indirect financial interest in any contract for building or improving or for furnishing of supplies or services to the school unless such contract complies with the provisions of the New Mexico Financial Disclosure Act §10-16A-1 NMSA 1978 and the New Mexico State Procurement Code.
- (E) Employees who desire to do business with Alma d'arte shall petition for a waiver in accordance with state law (§13.1.194 NMSA 1978).
- (F) Alma d'arte employees proposing business transactions with the school, shall disclose in advance and in writing any direct or indirect financial interest they may have in a transaction with the school.
- (G) Any employee who violates this policy shall be subject to disciplinary action, up to and including dismissal.

Legal Reference: New Mexico State Procurement Code, §13.1.190, 193, 195; §21.1.17, §21.1.35; Financial Disclosure Act §10.16A.1-8 NMSA 197

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