



Policy: 4.04

SUBJECT: **GENERAL SUPERINTENDENT CONFLICT OF INTEREST**

Supersedes: Policy 4.05 (2001)

Effective: September 8, 2008

Page: 1 of 2

Approved by: Detroit Board of Education

1.0 Policy

It is the policy of the District to conduct business affairs in an ethical and business-like manner. To that end, the General Superintendent shall avoid all potential conflicts of interest or the appearance of any conflict, according to the following provisions.

1.1 DEFINITION OF CONFLICT OF INTEREST

A conflict of interest arises whenever the activities of an employee result in or provide an opportunity for the employee or a third party to gain an improper advantage, economic or non-economic, which is adverse to the District's interests. Stated another way, it is a situation or circumstance which, by itself or by logical extension thereof, impairs or may impair an employee's full loyalty to or good faith performance of duties for the District.

1.2 DUTY TO DISCLOSE

The General Superintendent shall disclose any real or potential conflicts of interest upon her appointment to the position and there remains a continuing duty to disclose any such conflicts throughout the General Superintendent's employment with the District. If a real or potential conflict of interest arises during the course of the appointment, the General Superintendent shall disclose same to the Detroit Board of Education for their review.

1.3 DETROIT BOARD OF EDUCATION REVIEW OF CONFLICT

The Detroit Board of Education shall be responsible for reviewing any real or potential conflicts disclosed to them by the General Superintendent to determine the proper course of action, including the cancellation of any contract, agreement, or other administrative action which effectuates the conflict of interest. Alternatively, the Board may determine that any real or potential conflict of interest does not work any adverse impact on the

District's interests and may ratify any contract, agreement, or other administrative action regardless of the presence of a conflict.

1.4 CONTRACTS WITH THE DISTRICT

The General Superintendent nor any member of her immediate family shall be a party, either directly or indirectly, to any contract to which the District is a signatory, unless otherwise approved or ratified by the Board. Immediate family is defined as spouse, child, parent, sibling, or any other individual residing in the same household.

1.5 SOLICITATION OF DISTRICT BUSINESS

Unless ratified or approved by the Detroit Board of Education, the General Superintendent shall not solicit any contract to be negotiated or executed between the District and:

- 1.5.1** herself, or any member of her immediate family;
- 1.5.2** any firm of which she is a partner, member, or employee;
- 1.5.3** any private corporation in which she owns more than 1% of the outstanding shares of stock (for stock not listed on the exchange), or stock with a present total market value of greater than \$25,000.00 (if listed on the stock exchange) or of a company in which she is a director, officer, or employee; or
- 1.5.4** any trust of which she is the beneficiary or trustee.

1.6 EXCEPTIONS

This policy does not prevent a contract between the District and another governmental entity or any contract duly awarded to the lowest qualified bidder upon receipt and reading of sealed bids pursuant to a published notice therefore.

Attachments to Policy: None

Legal References: MCLA §§ 15.321, *et seq.*

Labor Contract References: None