

University Laboratory School: A Hawai'i Public Charter School
CONFLICT OF INTEREST & DISCLOSURE POLICY

SECTION 1. PURPOSE:

The University Laboratory School ("ULS") is a Hawai'i public charter school, authorized by the State Public Charter School Commission under Hawai'i Revised Statutes, Chapter 302D. As a state public charter school, the ULS Governing Board and all ULS employees shall comply with the State of Hawai'i Ethics Code, Hawai'i Revised Statutes, Chapter 84.

The ULS Governing Board and ULS employees have the responsibility of acting with the highest standards of honesty, integrity, and public ethics, and shall not use a position with the school or knowledge gained therefrom for personal benefit. Consistent with these standards, ULS Governing Board members and ULS employees should approach potential conflicts of interest situations with care and err on the side of caution, disclosure, and recusal when faced with uncertain situations.

SECTION 2. COVERED PERSONS:

This Conflicts of Interest and Disclosure Policy applies to all ULS Governing Board members, administrative staff, teachers, and other employees of ULS (collectively, "ULS Covered Persons").

SECTION 3. AREAS IN WHICH A CONFLICT MAY ARISE:

Conflicts of interest may arise in the relations of ULS Covered Persons with any of the following:

1. Persons and firms supplying goods and services to ULS.
2. Persons and firms from whom the school leases property or equipment.
3. Persons and firms with whom the school is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Donors, non-profit organizations, and others supporting the school.
5. Agencies, organizations, and associations which affect the operations of the school.
6. Relatives, household members, friends, and other employees, including forms of nepotism.
7. Other ULS Covered Persons.

SECTION 4. NATURE OF CONFLICTING INTEREST:

Conflicts of interest may be defined as an interest, direct or indirect, with any persons or businesses mentioned in Section 3. Such a conflict of interest might arise through:

1. Serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third-party dealing with ULS.
2. Receiving personal compensation or other benefits from any third-party related to a transaction involving ULS.
3. Receiving personal gifts or loans from any third-party dealing with ULS.
4. Using the school's time, personnel, equipment, supplies, or goodwill for other than school-approved activities, programs, and purposes.
5. Disclosing to a third-party confidential information obtained through a position as a ULS Covered Person.
6. Entering into a private financial transaction with another ULS Covered Person.

SECTION 5. INTERPRETATION OF THIS STATEMENT OF POLICY:

The areas in which a conflict may arise in Section 3, and the nature of the conflicting interest in those areas in Section 4, are not exhaustive. Conflicts might arise in other areas or through other relations. It is assumed that ULS Covered Persons will recognize such areas and relations by extension.

It is the responsibility of the individual to comply with the State of Hawai'i Ethics Code and this Conflicts of Interest and Disclosure Policy. It is the responsibility of the ULS Covered Person to report potential violations of the State of Hawai'i Ethics Code.

SECTION 6. DISCLOSURE POLICY AND PROCEDURE:

Transactions with parties with whom a conflicting interest exists may be undertaken only if all of the following are observed:

1. The conflicting interest is fully disclosed;
2. The person with the conflict of interest is excluded from the discussion and approval of such transaction;
3. A competitive bid or comparable valuation exists;
4. The Governing Board or a duly constituted committee thereof has determined that the transaction is in the best interest of the organization; and
5. The transaction does not otherwise violate the State of Hawai'i Ethics Code.

Disclosure by a ULS employee shall be made to the school director (or if she or he is the one with the conflict, then to the Governing Board chair), who shall bring the matter to the attention of the Governing Board or a duly constituted committee thereof. Disclosure by a Governing Board member shall be made to the board chair, (or if she or he is the one with the conflict, then to the Governing Board vice-chair) who shall bring these matters to the board or a duly constituted committee thereof.

The Governing Board or a duly constituted committee thereof shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as in the best interest of ULS and in accordance with State of Hawai'i Ethics Code.

SECTION 7. NEPOTISM STRICTLY PROHIBITED:

Notwithstanding anything in this Policy to the contrary, no ULS Covered Person shall engage in an act of nepotism, as defined by Section 84-13.2, Hawai'i Revised Statutes. This includes, but is not limited to, any action by the Covered Person to appoint, hire, promote, retain, demote, discharge, terminate, or supervise a relative or household member, or any official action with a business where the ULS Covered Person's relative or household member is an executive officer or holds a substantial ownership interest in that business.

"Household member" means an individual who resides in the same dwelling unit as the employee.

"Relative" means the employee's parent, grandparent, stepparent, child, grandchild, stepchild, foster child, adopted child, sibling, half-sibling, stepsibling, parent's sibling, first cousin, sibling's child, spouse, spouse's parent, child-in-law, or sibling-in-law, or any individual who has become a member of the employee's immediate family through the Hawaiian hanai custom.

CONFLICT OF INTEREST ANNUAL ATTESTATION FORM

1. NAME OF ULS EMPLOYEE OR GOVERNING BOARD MEMBER: (Please print)

2. CAPACITY:

_____ ULS employee

_____ ULS Governing Board member

I confirm the following:

- As a ULS employee or ULS Governing Board member, I understand that I am subject to the State of Hawai'i Ethics Code (Hawai'i Revised Statutes, Chapter 84).

- I have met the requirements of Hawai'i Revised Statutes section 84-42 to complete a live or online training offered by the Hawai'i State Ethics Commission within 90 days of becoming a ULS employee or Governing Board member and at least once every four years thereafter:
 - State employees (such as ULS employees) (<https://ethics.hawaii.gov/stateemployeestrain/>)
 - Governing Board members (<https://ethics.hawaii.gov/hpcs-gbm/>).

- I understand that I may seek confidential advice on ethics issues from the staff of the Hawai'i State Ethics Commission (ethics.hawaii.gov).

- I have read and understand the ULS Conflicts of Interest and Disclosure Policy.

Signature

Date

University Laboratory School: A Hawai'i Public Charter School
GIFT POLICY FORM

As part of its Conflict of Interest and Disclosure Policy, the University Laboratory School ("ULS") requires that Governing Board members and employees decline to accept certain gifts, consideration, or remuneration from individuals or companies that do business or seek to do business with ULS. This Gift Policy Form is intended to implement that prohibition on certain gifts.

Section 1. Definitions:

"ULS Covered Person" is any person serving as a ULS Governing Board member, administrative staff, teacher, and other employee of ULS.

"Family Member" is a spouse, domestic partner, or dependent child of a ULS Covered Person.

"Contract or Transaction" is any agreement or relationship involving the sale or purchase of goods, services or rights of any kind, receipt of a loan or grant, or the establishment of any other pecuniary relationship. The making of a gift to the ULS is not a "contract" or "transaction."

Section 2. Prohibited gifts. No ULS Covered Person or Family Member shall solicit, accept, or receive any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, from any person or entity which:

1. Does or seeks to do business with ULS or,
2. Intends to influence the ULS Covered Person in the performance of that ULS Covered Person's duties or intends to reward that ULS Covered Person for actions taken as a ULS Covered Person.

GIFT STATEMENT

I certify that I have read the above policy concerning gifts, and I agree that I will not accept any prohibited gift, as defined by the above policy and the State of Hawai'i Ethics Code.

Signature

Date

Print Name