

## Personnel -- Certified/Non-Certified

### Conflict of Interest

CREC wishes to avoid any conflict of interest on the part of its employees in dealing with suppliers, contractors and all organizations or individuals doing or seeking to do business with the school district. For this reason, CREC prohibits employees from directly or indirectly soliciting, accepting or receiving any gift, under circumstances from which it could be reasonably inferred that the gift was intended to influence the employee in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

Employees are expected to use good judgment, adhere to high ethical standards, and conduct themselves in such a manner as to avoid any actual or potential conflict between their personal interests and those of CREC. They may not: engage or have a financial interest in any activity that conflicts with their CREC duties and responsibilities; make unauthorized use of CREC resources; or accept outside employment that impairs their ability to properly discharge their CREC duties and responsibilities.

Employees are expected to be knowledgeable about this policy and its accompanying regulation, and to assume responsibility for ensuring that their behavior and activities are consistent therewith.

cf: 4132 Publication or Creation of Materials

Legal Reference: Connecticut General Statutes

7-479 Conflicts of interest.

1-79 et seq. Code of Ethics

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CAPITOL REGION EDUCATION COUNCIL  
Hartford, Connecticut

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CREC employees must avoid any conflict between their personal interests and the interests of the agency when dealing with suppliers, contractors and all organizations or individuals doing or seeking to do business with CREC. Employees are prohibited from directly or indirectly soliciting any gift, or accepting or receiving any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances from which it could be reasonably inferred that the gift was intended to influence them in the performance of their official duties or was intended as a reward for any official action on their part.

CREC recognizes that situations may arise where employees' personal interests conflict with or appear to conflict with their obligations to CREC or the interests of CREC. The following is intended to inform employees about situations that generate the potential for conflicts of interest; to clarify expectations about disclosing interests and activities that might result in conflicts of interest; and to identify means to manage, reduce, or eliminate such conflicts of interest.

A **conflict of interest** is any circumstance in which the personal, professional, financial, or other interests of an employee may diverge from their obligations to CREC and the interests of CREC.

A **real or actual conflict of interest** arises when an employee is able to influence the performance of duties (e.g., employment decisions, awarding of bids, administrative decisions etc.) in a way that could benefit that employee or others with whom that employee has a connection, such as their family, friends or associates.

An example is where an employee's sister is a director of the family company in which the employee also has an interest; that company is bidding for a contract to provide services to CREC, and the employee is on the team evaluating the bid.

An **apparent or perceived conflict of interest** exists when it appears that an employee is in a position to influence the performance of duties in a way that could benefit the employee or others with whom the employee has a connection, such as their family, friends or associates.

An example is when an employee plays on the same sports team as the director of a company that is bidding for a contract to provide services to CREC and the employee is on the team evaluating the bid. Playing on the same sports team may create the perception that the two have a personal relationship which may influence the decision.

A **potential conflict of interest** exists when there is a risk of a real or an apparent conflict of interest.

## Types of Interest

Employees shall not engage or have a financial interest, directly or indirectly, in any activity that conflicts with their duties and responsibilities at CREC.

### 1. Contracts with CREC

Employees shall not:

- a. obtain a direct benefit from a contract that they are involved in planning, making or administering on behalf of CREC;
- b. influence or attempt to influence anyone who is involved in planning, making or administering a contract on behalf of CREC;
- c. solicit or receive any gift, reward or promise for recommending, influencing or attempting to influence the award of a contract; or
- d. compete for, bid, or be awarded a contract or a lease with CREC, except when such award is made as a result of CREC competitive purchasing procedures; the employee has no involvement in the planning or preparation of the specifications for such contract or lease; and the Executive Director or designee determines that it is in CREC's and/or the public's interest for the employee to compete for, bid, or be awarded such contract or lease.

An employee is involved in administering a contract if they oversee the performance of the contract or has authority to interpret or make decisions regarding the contract. An employee is involved in making a contract if they participate in the development of specifications or terms of the contract or they participate in the preparation or award of the contract. An employee is involved in planning a contract if they participate in any process that plans the activity and/or relationship that results in a contract. An employee derives a direct benefit from a contract if the employee or their spouse does any of the following: (1) has ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract.

### 2. Gifts

A **gift** is defined as anything of value that an employee (or in certain circumstances a member of the employee's family) directly and personally receives unless they provide consideration of equal or greater value (e.g. pay for the item).

Not included in the definition of **gift** are items such as:

- Token items, i.e., items of value not more than \$10.00 (such as a pen, mug, or inexpensive baseball cap), provided that the annual aggregate of such items from a single

- source is \$50.00 or less.
- Food and beverage of value less than \$50.00 in a calendar year.
- Training provided by a vendor for a product, provided such training is offered to all customers of the vendor.
- Admission provided by the primary sponsoring entity to a charitable or civic event, including food and beverage provided at such event, but excluding lodging or travel expenses, at which an employee participates in their official capacity.
- A certificate, plaque or other ceremonial award costing less than one hundred dollars.
- A rebate, discount or promotional item available to the general public.

Employees shall not:

- solicit or accept money, or anything else of value, for services performed within the scope of their official duties other than their regular compensation, expenses or other remuneration;
- offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion within CREC;
- offer or accept any money or anything else of value for or in consideration of the use of their position to obtain a contract with CREC for any person or business;
- use for their own economic benefit, confidential information which is not available to the public and which was obtained by reason of their employment;
- accept any money, loan, gift, favor or service that might reasonably tend to influence the discharge of their duties;
- accept any business or professional opportunity from which they may gain a financial benefit, where they know or should know that there is a reasonable likelihood that the opportunity is being offered with the intent to influence their conduct in the performance of official duties.
- compromise their position by accepting gifts from individuals or special interest groups within the community when such gifts are intended to influence the business of the district or a particular school in the district.

Students and parents who want to show appreciation for the efforts of employees should do so through oral or written expressions of gratitude, rather than through gifts. Employees may accept small tokens of goodwill from students, parents or community members for holidays, special occasions or exceptional occasions, such as concerts, farewells, special achievements or death of

a loved one. Employees should ensure that no student or staff is embarrassed or otherwise disadvantaged because of their inability or unwillingness to participate in a gift giving.

3. Improper use of CREC resources.

The unauthorized use of CREC resources, including the services of CREC employees, for personal purposes is prohibited. For example, while an employee may be authorized to make *reasonable* use of CREC-issued computers and telephone devices for personal purposes (provided, however, that they reimburse CREC if there are additional charges to CREC from such use; e.g., a charge for an international phone call), an employee may not use CREC students or staff to conduct personal business.

Use of CREC intellectual property for any purpose other than discharging CREC duties is prohibited.

4. Employment

Employees may not accept outside employment that impairs their independence of judgment regarding their CREC duties, or that encourages them to disclose confidential information learned through their CREC employment.

Employees may not accept outside employment to conduct school-related activities with any entity that does business with CREC.

Employees may not accept outside employment to conduct school or program-related activities, for which parents must pay a fee, for students who are, or might reasonably be expected to attend CREC schools or programs.

Employees may not use their CREC positions to solicit personal business.

Employees involved in planning, making or administering contracts with CREC may not accept employment by the contractor(s) for a period of one year after leaving CREC service. This provision may be waived by the Executive Director for employees in good standing who have been laid off from their CREC positions.

**Managing conflict of interest situations**

***Employee's Responsibility***

Employees must take reasonable steps to avoid real or apparent conflicts of interest.

It is the duty of every employee to disclose any conflict of interest or any circumstances that might reasonably give rise to *the perception* of conflict of interest.

Disclosure should be made at the time the conflict first arises, or when it is recognized that a conflict might be perceived, in writing to the employee's immediate supervisor. If the immediate supervisor has an interest in the matter to be disclosed, the disclosure shall be made to the person at the next higher level of authority.

Where an employee is not initially aware of the conflict of interest but becomes aware of it at a later time, the individual shall disclose the conflict of interest promptly upon learning of it.

### ***Supervisor's Responsibility***

Where an employee raises concerns about a possible conflict of interest (real or apparent) or discloses that they may have a conflict of interest, it is the responsibility of the employee's supervisor to:

1. Decide whether there is, or could be, a conflict of interest;
2. Having determined that there is, or could be, a conflict of interest, discuss with the employee the steps which will be taken to avoid that conflict and formulate a proposed plan/approach that protects CREC and ensures compliance with the law and the integrity of the transaction(s) and the individuals involved. It is the responsibility of those affected to comply with the plan/approach that has been agreed upon. Options to be considered include:
  - the employee divesting themselves of the interest, where this is possible and the employee is willing to do so;
  - the employee's duties being rearranged or a permanent or temporary transfer being made to an equivalent position not involved with the conflict;
  - the employee not taking part in discussions of certain matters;
  - the employee not taking part in decisions in relation to certain matters;
  - the employee referring to others certain matters for decision;
  - the employee standing aside from any involvement in a particular project;
  - putting in place additional processes to ensure the impartiality of the employee in the performance of his or her duties; and
  - any other action considered appropriate under the particular circumstances.

3. Inform the Executive Director/designee in writing of the steps to be taken to avoid the conflict.
4. Refer any unresolved matter to the Executive Director/designee for further action.

### **Enforcement**

Failure to comply with the above procedures will subject the employee and/or supervisor to disciplinary action, up to and including termination.

Employees are expected to be knowledgeable about this regulation and the accompanying policy, and to assume responsibility for ensuring that their behavior and activities are consistent therewith.

Employees shall sign an acknowledgment which affirms that they have read the CREC Conflict of Interest policy and regulation; and understand and agree to comply with their terms.

Regulation issued: February 21, 2018  
Revised: September 15, 2021

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