

## **FernWaters Public Charter School Conflict of Interest Policy and Disclosure Form**

### **Conflict of Interest**

As a member of the Board, I recognize that I owe a fiduciary duty of loyalty to FernWaters Public Charter School. This duty requires me to avoid conflicts of interest and to act at all times in the best interests of FernWaters Public Charter School. The purpose of the conflicts of interest policy (set forth below) is to help inform the Board about what constitutes a conflict of interest, assist the Board in identifying and disclosing actual and potential conflicts and help ensure the avoidance of conflicts of interest where necessary. This policy may be enforced against individual Board members as described below:

1. Board members have a fiduciary duty to conduct themselves without conflict to the interests of FernWaters Public Charter School. In their capacity as Board members, they must subordinate personal, individual business, third-party, and other interests to the welfare and best interests of FernWaters Public Charter School.
2. A conflict of interest is conduct, a transaction or relationship that presents or might conflict with a Board member's obligations owed to the FernWaters public Charter School and the Board member's personal, business or other interests.
3. All conflicts of interest are not necessarily prohibited or harmful to FernWaters Public Charter School. However, full disclosure of all actual and potential conflicts, and a determination by the disinterested Board (of FernWaters Public Charter School Executive Committee) members—with the interested Board member(s) recused from participating in debates and voting on the matter—are required.
4. All actual and potential conflicts of interests shall be disclosed by Board members to the FernWaters Public Charter School Executive Committee through the annual disclosure form and/or to the Board whenever a conflict arises. Disinterested members of the FernWaters Public Charter School Executive Committee shall make a determination as to whether a prohibited conflict exists and what subsequent action is appropriate (if any). The FernWaters Public Charter School Executive Committee shall inform the Board of such determination and action. The Board shall retain the right to modify or reverse such determination and action, and shall retain the ultimate enforcement authority with respect to the interpretation and application of this policy.
5. On an annual basis, all Board members shall be provided with a copy of this policy and required to complete and sign the acknowledgment and disclosure form below. All completed forms shall be provided to and reviewed by the FernWaters Public Charter School Executive Committee, as well as all other conflict information, if any, provided by Board members.

**CONFLICTS OF INTEREST ACKNOWLEDGMENT AND DISCLOSURE FORM**

I have read the conflicts of interest policy set forth above and agree to comply fully with its terms and conditions at all times during my service as a FernWaters Public Charter School Board member. If at any time following the submission of this form I become aware of any actual or potential conflicts of interest, or if the information provided below becomes inaccurate or incomplete, I will promptly notify the FernWaters Public Charter School Board of Directors in writing.

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I acknowledge and agree that my selection for service on the Board and the opportunities made available to me by serving on the Board constitute good and valuable consideration for entering into this agreement, the receipt and sufficiency of which I hereby acknowledge.

**In my individual capacity:**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**FernWaters Public Charter School**  
Board of Directors' Code of Conduct

*As a member of FernWaters Public Charter School Board of Directors, I will strive to improve student achievement in public education, and to that end, I will:*

\_\_\_\_\_ Read the FernWaters Public Charter School Bylaws and charter documents;

\_\_\_\_\_ Attend all regularly scheduled board meetings insofar as possible, having read my packet ensuring that I am informed about the issues to be considered at the meetings. I understand that the Board may declare vacant the office of any director who has failed to attend four (4) or more meetings of the Board, without giving reasonable notice, in any calendar year;

\_\_\_\_\_ Understand that the board makes decisions as a team. Individual board members may not commit the board to any action;

\_\_\_\_\_ Be open, fair and honest—hold no hidden agendas, and show respect the right of other board members to have opinions and ideas which differ from mine;

\_\_\_\_\_ Make all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

\_\_\_\_\_ Recognize that decisions are made by a majority vote and should be supported by all board members;

\_\_\_\_\_ Keep abreast of important developments in educational trends, research and practices;

\_\_\_\_\_ Recognize that the board must comply with the Open Meeting Law and only has authority to make decisions at official board meetings;

\_\_\_\_\_ Recognize that the administrator is the board's advisor and should be present at all meetings, except when the board is considering the administrator's evaluation, contract, or salary

\_\_\_\_\_ Understand the chain of command and refer problems or complaints to the proper administrative office while refraining from communications that may create conditions of bias should a concern ever rise to the attention of the board as a hearing panel;

\_\_\_\_\_ Respect the right of the public to be informed about school decisions and operations;

\_\_\_\_\_ Understand that I will receive information that is confidential and cannot be shared;

\_\_\_\_\_ Give staff the respect and consideration due skilled, professional employees and support the employment of those best qualified to serve as school staff, while insisting on regular and impartial evaluation of all staff;

\_\_\_\_\_ Present personal criticism of school operations to the administrator, not to the staff or at a board meeting;

\_\_\_\_\_ Refuse to use my board position for personal or family gain or prestige. I will announce any conflicts of interest before board action is taken; and

\_\_\_\_\_ Remember always that my first and greatest concern as a board member must be the educational welfare of the students attending FernWaters Public Charter School.

Director Signature: \_\_\_\_\_ Date: \_\_\_\_\_