

Magnolia School District - Code of Conduct for Food Service Programs

Effective July 1, 2018

Pursuant to 2 CFR 200.318 (c) (1), the District will be required to conduct procurement in accordance with the Magnolia School Districts Food Services Code of Conduct. This Code of Conduct applies to all employees who are engaged in the awarding and administration of contracts supported by USDA Food and Nutrition Program Funds. The written standards of conduct will comply with the federal and state regulations. The standards include:

Conflict of Interest

No employee, officer or agent of the Magnolia School District shall participate in the selection, attempt to influence the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award or in any tangible personal benefit offered by the firm:

- a. The employee, officer, or agent;
- b. his or her partner;
- c. any member of his or her immediate family; or
- d. an organization which employs or is about to employ one of the above.

Any position involved in the selection, award, or administration of a contract must provide the district with a statement indicating any financial interest that may result in a conflict of interest. Individuals resigning from an identified position must file a statement within 30 days of resigning stating that they did not participate in, or benefit by making any district decision.

Incentives

The Magnolia School District Food Services Department staff, officers, or agents shall neither solicit nor accept gratuities, favors, prizes, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Trivial benefits not to exceed a value of fifty dollars (\$50.00) incidental to personal, professional or business contracts and involving no substantial risk of undermining official impartiality may be permitted providing:

- a. There is no expectation to receive business based on the acceptance of a gift under the value of fifty dollars (\$50.00).
- b. Gifts are to be documented and reported. This documentation is to be kept for a minimum of the current year plus three additional years.
- c. No gift or prize over the documented value of over fifty dollars (\$50.00) can be accepted.
- d. If a gift or prize is received that is over the fifty dollar (\$50.00) limit, the gift must be returned to the vendor/sender.

Confidentiality and Disciplinary Action

All staff involved in the procurement, bidding and contract award process must maintain the highest level of confidentiality.

Providing confidential information to any person or entity that was not designated to be privy to that information is unethical and strictly prohibited.

All information with respect to bid opening, bid pricing, bid evaluations, and contract awards will

be kept confidential and announced publicly only after approved by the Board of Education.

Penalties for violations of the standards of Code of Conduct of the Magnolia School District may include any or all of the following:

- a. reprimand or other disciplinary action.
- b. Dismissal.
- c. additional legal action necessary.

The Magnolia School District must maintain a written Code of Conduct and establish written procurement procedures and all procurement transactions shall be conducted in a manner that provides the maximum of free and open competition. These procedures must reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR 200.318. An institution should not knowingly do business with a company that is debarred or suspended.

In addition, all employees involved in the procurement process must be trained annually on the Code of Conduct. Proof of training must be maintained on file for the current year plus three years. Proof must include a signed statement that employees involved in the procurement process have read the Code of Conduct and understand the policy within it.

For questions regarding this policy, procurement and solicitation, contract evaluations and awards, contact the Magnolia School District Food Services Department.

Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

*(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW*

Washington, D.C. 20250-9410;

*(2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.
This institution is an equal opportunity provider.*