

LOS GATOS UNION SCHOOL DISTRICT FOOD SERVICE DEPARTMENT

CODE OF CONDUCT*

Los Gatos Union School District (LGUSD) will conduct all procurement transactions in compliance with the regulations and state laws included in Title 2, *Code of Federal Regulations* (2 *CFR*), sections 200.318(c)(1)(2), and 400.2(b)(1), and *California Government Code* (GC), sections 1090 and 87100 et seq.

LGUSD Conflict of Interest Policy: No employee, officer, or agent of LGUSD may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

LGUSD Gratuities, Favors, and Gifts Policy: The officers, employees, and agents of LGUSD may never solicit gratuities, favors, gifts or anything of monetary value from contractors or parties to subcontracts. However, officers, employees, and agents of LGUSD may accept unsolicited gratuities, favors, and gifts when the value is nominal, which LGUSD has established as \$50 or less per gift, not to exceed \$400 per vendor per school year.

The terms gratuities, favors, and gifts include discounts, entertainment, hospitality, loans, forbearance, services, training, transportation, lodging, and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

No gift or prize over the documented value of over \$50 can be accepted. If a gift or prize is received that is over the \$50 limit, the gift must be returned to the vendor with an explanation provided as follows: Thank you for your gift; however, the LGUSD staff is not allowed to accept gratuities, favors, or gifts that exceed \$50 per gift or \$400 cumulatively per school year.

All gifts are to be documented and reported on the LGUSD Gift Form, maintained by the LGUSD Food Service Department's Administrative Assistant. These forms are to be kept for a minimum of the current year plus three additional years.

LGUSD Disciplinary Action Policy: Penalties for violations of the LGUSD Code of Conduct may include any or all of the following:

- Reprimand or other disciplinary action (e.g., suspension without pay) by LGUSD board
- Dismissal by school board
- Additional legal action necessary

LGUSD Volunteer Policy: If an employee, officer, or agent of LGUSD is found to be in a paid or volunteer capacity in any organization that does business with or receives funds from the LGUSD, the employee, officer, or agent is subject to suspension or possible termination.

LGUSD Organizational Conflict of Interest Policy: Agencies with a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, must maintain written standards of conduct covering organizational conflicts of interest. Because of the relationship that LGUSD has with our parent company, Gateway Private Schools, LGUSD cannot award a contract or subcontract with Gateway Private Schools as LGUSD may appear to be impartial in conducting the procurement, which is a conflict of interest (an apparent conflict of interest is always considered a real conflict of interest).

California GC, Section 87100 et seq.: Requirements that each designated employee, other than those specified in California GC, Section 87200, file statements at times and under circumstances described in this section, disclosing reportable investments, business positions, interests in real property and income. The information disclosed with respect to reportable investments, interests in real property, and income shall be the same as the information required by sections 87206 and 87207. The first statement filed under a Conflict of Interest Code by a designated employee shall disclose any reportable investments, business positions, interests in real property, and income. An initial statement shall be filed by each designated employee within 30 days after the effective date of the Conflict of Interest Code, disclosing investments, business positions, and interests in real property held on the effective date of the Conflict of Interest Code and income received during the 12 months before the effective date of the Conflict of Interest Code.

- If applicable, **LGUSD** employees who make or influence governmental decisions are to submit a Statement of Economic Interest, Form 700, annually.

This institution is an equal opportunity provider.