

	<p align="center"><b>Policy Number</b> <b>2-2019</b></p>
<p align="center"><b>Administrative Policy</b> CONFLICT OF INTEREST POLICY</p>	<p><b>Issued:</b> April 17, 2019</p>

**I. Authority**

The Executive Committee is vested with the power to act on behalf of the Interstate Commission during periods when the Commission is not in session. The Executive Committee oversees the day to day activities managed by the Executive Director.

**II. Applicability**

This policy applies to signatory states to the Interstate Compact on Educational Opportunity for Military Children and Commissioners or Designees appointed to represent those states to the National Commission.

**III. Introduction**

The Interstate Commission on Educational Opportunity for Military Children (“MIC3”) is comprised of one Commissioner from each of the 50 states and Washington, D.C. As a joint government entity created by the enactment of the Compact by the member states, the Commission affords great deference to its member states in selecting Commissioners to represent them. The diverse personal, educational, and professional backgrounds of Commissioners are one of the Commission’s greatest assets. However, this diversity means that some Commissioners may have personal pecuniary interests which are affected by the outcomes of management and other decisions which must be made concerning the administration of the Compact Commission at times. The Commission’s Policy on Conflict of Interest was implemented to ensure transparency, accountability, and integrity in the Commission’s decision-making process.

**IV. Commissioner Conflict of Interest**

The Commissioner Conflict of Interest adopted as a policy of the Commission provides as follows:

*Conflict of Interest. Commissioners and their Designees appointed by the states are responsible for upholding the integrity of the Commission and its member states.*

*No Commissioner or Designee shall vote or participate in debate upon a matter in which the Commissioner or Designee has a direct or indirect financial or other personal interest resulting in a personal benefit that conflicts with the fair and impartial conduct of official duties.*

*The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners or Designees alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner's or Designee's home state.*

#### *Definition*

A **Conflict of Interest** is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary personal interest economic or otherwise.

### **V. Conflict of Interest Form (Disclosure Form)**

1. All Commissioners and Designees are required to complete a Conflict of Interest Form (Disclosure Form). The form requires recusal from participating in debate or voting on a matter in which there are personal interests, financial or otherwise, that may impact the ability of a Commissioner or Designee to conduct business in a "fair and impartial" manner.
2. Completed Commission Disclosure Forms must be submitted to the Executive Director by January 31st of each year, regardless of whether there have been any changes in status from the previous year. If a Commissioner or Designee is appointed after January 31st, a completed Disclosure Form must be submitted prior to participation in a Commission meeting. For the first year of implementation of this Policy, all Commissioners and Designees must complete a disclosure form prior to the 2018 Annual Business Meeting.
3. Completed Disclosure Forms will be made available to the public upon request.
4. Disclosure Forms must be updated annually by Commissioners and their Designees. If a Commissioner or Designee does not have any changes to their Disclosure Form, the previous year's form can be resubmitted.

### **VI. Commissioner and Designee Recusal**

Prior to the discussion of an issue in which a Commissioner or Designee believes a conflict of interest may exist, the Commissioner or Designee must advise the Chair at, or prior to the meeting that they are recusing themselves from participating in the caucus and voting. Once recused, the Commissioner or Designee will not be able to participate in the debate or the vote concerning the matter which led to the recusal.

### **VII. Concerns over Conflict of Interest**

Concerns over conflicts of interest should be brought to the attention of the Chair of the Commission for consideration by the Executive Committee. The Executive Committee will determine if any of the provisions of the Commission's Policy on Conflicts of Interest have been violated and decide the appropriate action, if any, including that provided in Section VIII.

### **VIII. Notification of Home State Appointing Authority**

If any of the following conditions are met, the Commission may notify the appropriate appointing authority in the home state of the Commissioner or Designee regarding its concern about the ability of the Commissioner or Designee to perform their duties in a fair and impartial manner, or if it becomes aware of any of the following information:

- The Commissioner or Designee has a substantial financial, or other personal conflict of interest in the outcome of the matter, such as the awarding of a contract for services or employment and refuses to recuse from debate or voting on such matter;

Removal of a Commissioner from their position as a representative of a member state shall be within the sole discretion of the appointing authority of that state,



**Conflict of Interest Disclosure Form**

*Commissioners and their Designees appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Commissioner shall vote or participate in debate upon a matter in which the Commissioner has a direct or indirect financial or other personal interest resulting in a personal benefit that conflicts with the fair and impartial conduct of official duties. The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner's home state.*

*I, \_\_\_\_\_, Commissioner or Designee for the State of \_\_\_\_\_, hereby swear or affirm that I have read and understand the MIC3 Commission Conflict of Interest and will comply with said policy in all matters pertaining to my duties and obligations as a Commissioner, Designee, or Officer of the Commission, including my obligation to recuse myself from consideration, debate or voting on any matter that conflicts with the fair and impartial conduct of my official duties.*

\_\_\_\_\_  
*Commissioner/Designee*

*State of* \_\_\_\_\_

*Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.*