

## Memorandum

To: All Charter School Authorizers and Potential Charter Applicants

From: Nathan Williamson, Director of Title Grants and Support

Subject: Charter School Board Members Conflict of Interest

Date: March 23, 2018

**This guidance applies only to organizers that submit a proposal to an authorizer to establish a charter school after July 1, 2017.**

During the 2017 legislative session, the General Assembly added a requirement to organizer's proposals to establish a charter school submitted to authorizers. Beginning July 1, 2017, in addition to the requirements that must already be included in an organizer's charter proposal, organizers must include a statement of economic interest. See Ind. Code 20-24-3-4(c) below. The newly added provision also requires organizer to submit the same statement of economic interest to the Department of Education.

"Beginning July 1, 2017, at the time an organizer submits a proposal under subsection (a), the organizer shall submit to the authorizer and department a statement of economic interest that contains the same information specified under IC 3-8-9-8 for each board member of the proposed charter school." IC 20-24-3-4(c) (2017)

The information that must be included in the statement of economic interest conflict is the same information outlined in [IC 3-8-9-8](#) which provides:

### **IC 3-8-9-8 Contents of statement**

Sec. 8. A statement must set forth the following information for the preceding calendar year:

(1) The following information for each employer of the filer and each employer of the filer's spouse:

- (A) The name of the employer.
- (B) The nature of the employer's business.

For purposes of this subdivision, "employer" means any person from whom the filer or the filer's spouse received more than thirty-three percent (33%) of the filer's or the filer's spouse's income.

(2) The following information about any sole proprietorship owned or professional practice operated by the filer:

- (A) The name of the sole proprietorship or professional practice.
- (B) The nature of the business of the sole proprietorship or professional practice.

(3) The name of any partnership or limited liability company in which the filer or the filer's spouse is a member and the nature of the business of the partnership or limited liability company.

(4) The name of a corporation (other than a church) of which the filer or the filer's spouse is an officer or a director and the nature of the corporation's business.

Effective July 1, 2017, organizers that submit a proposal to establish a charter school will be required to provide a statement of economic interest to both the authorizer and to the Department. The statement must be provided for each member of the organizer's governing body. The governing body is the board that governs the nonprofit entity that is the organizer.

A sample conflict of interest form is contain herein that is an optional format to use.

Please send the statement of economic interest to Beatriz Pacheco at [bpacheco@doe.in.gov](mailto:bpacheco@doe.in.gov) at the time the proposal to establish a charter school is submitted to the authorizer.

[Organizer Letter Head]

## Conflict of Interest Form

Charter School Organizer

Name of Organizer: \_\_\_\_\_

Name of Associated Charter School: \_\_\_\_\_

Name of Contact Person: \_\_\_\_\_

Contact Person Email Address: \_\_\_\_\_

Contact Person Phone Number: \_\_\_\_\_

Roster of Organizer Board Members:

- |           |                              |
|-----------|------------------------------|
| 1) _____  | Role (e.g. President): _____ |
| 2) _____  | Role: _____                  |
| 3) _____  | Role: _____                  |
| 4) _____  | Role: _____                  |
| 5) _____  | Role: _____                  |
| 6) _____  | Role: _____                  |
| 7) _____  | Role: _____                  |
| 8) _____  | Role: _____                  |
| 9) _____  | Role: _____                  |
| 10) _____ | Role: _____                  |

*Add or delete lines as necessary*

*The information provided below must provide information for the preceding calendar year. For board member or spouse with multiple employers, professional practices, corporations etc, add additional lines as necessary.*

1) Organizer Board Member Name: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Nature of Employer's Business: \_\_\_\_\_

\_\_\_\_\_

Sole Proprietorship or Professional Practice: \_\_\_\_\_

Nature of Proprietorship or Professional Practice: \_\_\_\_\_

\_\_\_\_\_

Name of any partnership or limited liability company in which the filer is a member:

\_\_\_\_\_

Nature of the business of the partnership or the limited liability company: \_\_\_\_\_

\_\_\_\_\_

Name of a corporation (other than a church) of which the filer is an officer or a director:

\_\_\_\_\_

Nature of the corporation's business: \_\_\_\_\_

\_\_\_\_\_

2) Organizer Board Member Spouse Name: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Nature of Employer's Business: \_\_\_\_\_

\_\_\_\_\_

Sole Proprietorship or Professional Practice: \_\_\_\_\_

Nature of Proprietorship or Professional Practice: \_\_\_\_\_

\_\_\_\_\_

Name of any partnership or limited liability company in which the filer's spouse is a member:

\_\_\_\_\_

Nature of the business of the partnership or the limited liability company: \_\_\_\_\_

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Name of a corporation (other than a church) of which the filer's spouse is an officer or a director: \_\_\_\_\_

Nature of the corporation's business: \_\_\_\_\_

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