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| North Carolina Department of Health and Human Services  Division of Public Health, Women’s & Children’s Health Section  Nutrition Services Branch  **Child and Adult Care Food Program**  **Code of Conduct Policy and Procedure**  **TEMPLATE** | | | | | | |
| ***Delete Instructions Prior to Submission for Approval***  **Instructions: Institutions participating in NC CACFP may adapt this template to reflect their institution’s policies and procedures or use an existing code of conduct policy. All code of conduct policies must include the elements listed below under “Policy.” Highlighted items should be modified to reflect your Institution’s procedures.** | | | | | | |
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|  | (Institution Name) | | |  | (CACFP Agreement Number) | |
| **PURPOSE** | | | | | | |
| * To prohibit conflicts of interest and actions of employees engaged in the selection, award and administration of contracts. * To protect employees from engaging in unethical and unallowable behavior and provide disciplinary action details for violations. | | | | | | |
| **POLICY** | | | | | | |
| This policy applies to all employees, officers, or agents engaged in the selection, award, and administration of contracts. | | | | | | |
| [INSTITUTION] conducts all procurement procedures:   * With impartiality; * In compliance with stated regulations; * To prohibit conflicts of interest; and * Using local, small, minority and women’s business enterprises, when possible. | | | | | | |
| * No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if he or she has a real or apparent conflict of interest.   *For Example:* A conflict of interest would arise when the employee, officer, or agent, or any member of his or her immediate family, his or her partner, or any organization which employs or is about to employ any of the parties indicated, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. | | | | | | |
| * It is the intent of [INSTITUTION] to avoid acquisition of unnecessary or duplicative items. Consideration is given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made to determine the most economical approach for purchases expected to exceed the small acquisition threshold. | | | | | | |
| **PROCEDURES** | | | | | | |
| * ACCEPTING GIFTS:   + Officers, employees, and agents of this non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.   + This institution sets standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value: (check one)  YES  NO     - *If YES, complete the below:* * This institution’s employees, officers, directors, volunteers, or agents may only accept gratuities, gifts, consulting fees, trips, favors or anything having a monetary value **not to exceed** $      annually per vendor, potential vendor, or from the family or employees of a vendor, potential vendor, or bidder. | | | | | | |
| * DISCIPLINARY ACTIONS FOR NON-FEDERAL ENTITIES:   + The below action(s) will be applied for violations of standards of conduct by officers, employees, or agents.   + Actions include: (check all that apply)   Verbal warning  Written reprimand  Suspension or termination from employment  Return of item or payment of service identified in conflict  Fines:  Administrative leave without pay  Legal action, if applicable, or other action as may be identified by the governing Board  Other: | | | | | | |
| For questions and concerns regarding procurement solicitations, contract evaluation, and award, contact:  **Purchasing Contacts**  Director of Purchasing:               Name Email Phone  Program Contact for CACFP:    Name Email Phone | | | | | | |
| **INSTITUTION INFORMATION** | | | | | | |
|  |  |  |  | | |  |
|  | (Print Name of Authorized Representative) |  | (Title of Authorized Representative) | | |  |
|  |  |  |  | | |  |
|  | (Signature of Authorized Representative) |  | (Date) | | |  |
|  |  |  |  | | |  |
|  | **Date(s) of annual policy review:** | | | | |  |

Reference: [7 CFR 226.22](https://www.fns.usda.gov/part-226%E2%80%94child-and-adult-care-food-program); [2 CFR Part 200.318-.326](https://www.ecfr.gov/cgi-bin/text-idx?SID=2880895d9f8deadcda87095dbdec84ed&mc=true&node=se2.1.200_1318&rgn=div8) Institutions must adhere to policy guidance published by USDA to ensure adherence to federal regulations regarding standards of conduct.