

Hebrew Day School
of Sullivan & Ulster Counties

BAIS YAAKOV TIFERES LEA HIGH SCHOOL

4718 State Route 42

Kiamesha Lake, New York 12751

<http://www.HebrewDaySchool.org> - E-Mail: HebrewDaySchool@gmail.com

Phone: (845) 794-7890

Fax: (845) 794-0859



Rabbi Irving H. Goodman, Dean

Rabbi Menachem Fruchter, Principal

PURCHASING CODE OF CONDUCT

OF

Hebrew Day School/Bias Yaakov Tiferes Lea High School

For the 2020/2021 School Year

No Board member, officer, employee or agent of the Hebrew Day School/Bias Yaakov Tiferes Lea High School (HDS) shall use or attempt to use their official position to obtain financial gain or for avoidance of financial detriment for himself/herself, a relative or for any business with which the Board member, officer, employee, agent or a relative is associated.

Acceptance of any gratuities, financial or otherwise, from any supplier of materials or services to HDS by any Board member, officer or employee of HDS is prohibited.

Spending Public Funds

Public confidence in the integrity of HDS purchasing activities is critical. Improprieties, or even the appearance of improprieties, can undermine this confidence with very negative consequences.

HDS employees are held to a higher standard of conduct and scrutiny and must conduct themselves with the highest ethical standards. Care must be exercised to avoid even the appearance of impropriety.

General Ethics Guidelines

- *HDS supplies, facilities, equipment, and personnel may not be used to carry out Employee private business.*
- *Employee's position may not be used for personal gain.*
- *Employee may not use any contracts for personal use.*
- *Avoid the intent and appearance of unethical or uncompromising practice in relationships, actions, and communications.*
- *Refrain from any private business or professional activity that would create a conflict between personal interests and the interests of HDS.*

Conflicts of Interest

Ensure that any personal, business, or other activity does not conflict with the lawful interests of HDS.

No person acting on behalf of HDS is permitted use their positions to induce another person to provide inappropriate benefits to themselves or others. This includes family, business, personal or financial relationships. Even though a conflict may not technically exist, we all must avoid the appearance of such a conflict.

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Recommended guidelines to avoid and manage conflicts of interest:

- *Potential Conflicts: Discuss actual or potential conflict(s) of interest with the Rabbi Fruchter, Principal, and/or any member of the Board as soon as you become aware.*
- *Secondary Business/Employment: Do not harm the interests of HDS through a secondary business or other employment.*
- *Personal Business: Do not engage in inappropriate personal business with HDS, or HDS's suppliers. For example, lending money to, or borrowing money from, any supplier. Do not purchase an item and re-sell it to HDS.*
- *Investments or Business Ownership: Report to Rabbi Fruchter, the Principal, and/or any member of the Board, for review and guidance, personal and immediate family ownership of stock or other equity in a supplier.*
- *Inside Information: Do not use inside information for personal gain.*
- *Do Not lend money to or borrow money from any supplier*
- *Avoid any and all potential for nepotism.*
- *Avoid any overlap of duties in the procurement process*
- *Safeguard the procurement process from political or outside influence*

Conduct with Suppliers

Business dealings with suppliers must be fair and transparent. We are all responsible for developing and maintaining effective business relationships with suppliers. Impartiality across all interactions and transactions enhances the reputation and good standing of HDS, and staff. Long-term relationships with key suppliers should not prevent establishing appropriate working relationships with other suppliers.

Recommended guidelines for maintaining positive supplier and customer relationships:

- *Encourage prompt and fair problem resolution.*
- *Avoid unreasonable demands.*
- *Communicate promptly, openly, and directly.*
- *Refrain from showing favoritism or being influenced by suppliers through the acceptance of gifts, gratuities, loans or favors.*
- *Safeguard supplier confidentiality.*
- *Refrain from requiring suppliers to pay to be included on an approved or preferred supplier list.*
- *Refrain from requesting donations of goods or services to HDS.*
- *Select suppliers on the basis of meeting appropriate and fair criteria.*
- *Discourage the arbitrary or unfair use of purchasing leverage or influence when dealing with suppliers.*
- *Avoid the exertion of undue influence or abuses of power.*
- *Treat all suppliers fair and equal.*

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Corruption

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Anyone who becomes aware of any corrupt activity has a duty to HDS to alert Rabbi Fruchter and/or any member of the Board. HDS shall not tolerate bribery or corruption in any form. Forms include, but are not limited to:

- *Bribery is the offering, promising, giving, authorizing, or accepting of any undue financial or other advantage to, by or for any persons associated with the procurement process, or for anyone else in order to obtain or retain a business or other improper advantage. Bribery often includes (i) kicking back a portion of a contract payment to government or party officials or to employees of the other contracting party, their close relatives, friends, or business partners or (ii) using intermediaries such as agents, subcontractors, consultants or other third parties, to channel payments to government or party officials, or to employees of the contracting parties, their relatives, friends or business partners.*
- *Extortion or Solicitation is the demanding of a bribe, whether or not coupled with a threat, if the demand is refused. HDS will oppose any attempt of extortion or solicitation and anyone is encouraged to report such attempts through available formal or informal reporting mechanisms.*
- *Trading in Influence is the offering or solicitation of an undue advantage in order to exert an improper, real, or supposed influence.*
- *Laundering the proceeds of the corrupt practices mentioned above is the concealing or disguising the illegitimate origin, source, location, disposition, movement or ownership of property and/or money, knowing that such is the proceeds of crime.*
- *Nepotism is the use of authority or influence to show favoritism to relatives or friends without merit.*

The HDS Test

The following are suggestions that several questions be asked during the review process of expenditures, encumbrances, or other kinds of obligations of public funds:

(The following questions are intended as examples, are not all-inclusive, and are suggested for approving offices because of their potential liability)

Questions to ask yourself when reviewing whether to make a purchase:

- *Is this a legal obligation for HDS to incur? Does it comply with statute and policy?*
- *Is this obligation a responsible and appropriate use of HDS funds?*
- *Are there adequate budget resources available now to allow us to incur this obligation?*
- *Did HDS receive the goods or services at full value as requested?*
- *Will this obligation or expenditure pass the "public perception" test? That is, would I be comfortable if I saw this transaction written up on the front page of the local newspaper?*
- *Am I willing to approve this obligation knowing that I am fully responsible?*

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Notification

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A HDS employee may not be deemed to have a conflict of interest if, at the earliest opportunity after having acquired knowledge of the conflict, he/she does the following:

- *Discloses the conflict of interest in writing or in person to Rabbi Fruchter and/or any member of the Board; and*
- *Disqualifies himself/herself from participating in any purchasing decision.*