Legacy Preparatory Charter Academy

Child Nutrition Food Services Department

Code of Conduct

Effective August 2026

This Code of Conduct has been created to establish and maintain effective oversight over the Legacy Preparatory Charter Academy Food Service Department's financial management system that provides reasonable assurance that the Legacy Preparatory Food Services Department is managing the program in compliance with all federal, state, and local regulations and terms and conditions of the program award and; To establish and maintain effective oversight over those definitive actions related to the procurement process, establish standards of ethical conduct and integrity for procurement actions, and provide full and open competition in all procurement actions.

Legacy Preparatory Charter Academy – Child Nutrition Food Service Department
Code of Conduct

As representatives of the Legacy Preparatory Charter Academy Food Services Department, all employees are expected to conduct themselves in a professional and ethical manner, maintaining high standards of integrity and the use of good judgment. Employees are expected to be principled in their business interactions and act in good faith with individuals both inside and outside the Legacy Preparatory Charter Academy .

The following Code of conduct shall govern the performance, behavior and actions of the Legacy Preparatory Charter Academy Food Services Department, including employees, directors, officials, or agents who are engaged in any aspect of procurement, including – but not limited to – purchasing goods and services; awarding contracts; or the administration and supervision of contracts.

Code of Conduct

- No employee, directors or agent of the Legacy Preparatory Charter Academy Food Services Department shall participate in the selection, award or administration of a bid or contract supported by federal funds if a conflict of interest is real or apparent to a reasonable person.

- Conflicts of interest may arise when any employee, directors or agent of the Legacy Preparatory Charter Academy Food Services Department has a financial, family or any other beneficial interest in the vendor selected or considered for an award.

- No employee, directors or agent of the Legacy Preparatory Charter Academy Food Services Department shall award contracts to, or show favoritism toward a member of his/her immediate family, spouse's family or to any company, vendor or concern who either employs or has any relationship to a family member; or award a contract or bid which violates the spirit or intent of Federal, State and local procurement laws and policies established to maximize free and open competition among qualified vendors. Those circumstances where interests, financial or otherwise, are not substantial or are within the limits of applicable Federal, State and local laws and the policies and procedures of the Legacy Preparatory Charter Academy , the Superintendent's Cabinet shall determine whether the conflict is material under the circumstances.

- The Legacy Preparatory Charter Academy Food Services Department employees, directors, and agents will not solicit gifts, including but not limited to travel packages or other incentives, and/ or donations from prospective contractors. However, incentive language may be included as part of the competitive procurement (formal bid and request for proposal) solicitation language to acquire the most favorable terms for the operation and benefit of the non-profit food service account. Such incentives include but are not limited to volume rebates, timely payment discounts, program promotion assistance, upfront savings, etc...

Real or Apparent Conflicts of Interest

Legacy Preparatory Charter Academy employees must not solicit or accept gratuities, favors, or anything of value to perform improper financial actions, including actions related to procuring contractors or parties to subcontracts. When this occurs, there is a conflict of interest.

A conflict of interest is *any action that allows a person to benefit at the expense of the public interest or the expense of his or her employer*. A conflict of interest may be real or apparent, i.e., a conflict of interest does not have to be acted upon to be considered a conflict of interest.

A real or apparent conflict of interest occurs in situations such as the following:

- Legacy Preparatory Charter Academy employee has a financial or other interest in a business being considered for a contract.
- Legacy Preparatory Charter Academy employee receives a tangible personal benefit from a business being considered for a contract.
- Legacy Preparatory Charter Academy employee has a personal relationship or friendship with a business being considered for a contract.
- Legacy Preparatory Charter Academy employee is employed by, about to be employed by, or is seeking employment from a business being considered for a contract.

Legacy Preparatory Charter Academy will consult with their attorney or legal counsel if there is a question about whether a specific situation is a conflict of interest.

Legacy Preparatory Charter Academy's "nominal value" may be no more than the value of a cup of coffee. Acceptance of such offerings is highly recommended against, but Legacy Preparatory Charter Academy is aware that sometimes such offerings are unavoidable. It is required that all vendors be informed by the district staff that such offerings are not allowed.

Legacy Preparatory Charter Academy considers all "tangible benefits," as defined below but not limited to, to be a conflict of interest.

- Offering a special item at a much lower price than the price structure for a current contract.
- Offering an item not presently used by the CE at a special price that is below market value.
- Offering an incentive, such as equipment or other prizes for purchasing items.
- Allowing staff to make purchases from a CE-procured contract.

Contracts

Legacy Preparatory Charter Academy does not allow any employee, officer, or agent to participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest exists.

Incentives, Gratuities, or Kickbacks

In accordance with the State of Texas Department of Agriculture (TDA) "Administrative Review Manual" (ARM) Section 15, Legacy Preparatory Charter Academy Food Services Department employees; officials; agents acting on the Legacy Preparatory Charter Academy Food Services Department behalf; any member of the immediate family of the Legacy Preparatory Charter Academy Food Services Department employee, officer, or agent acting on the Legacy Preparatory Charter Academy Food Services Department behalf; or business partner of the employee, officer, or agent acting onLegacy Preparatory Charter Academy Food

Services Department behalf cannot accept anything of value from a vendor. Incentive, gratuities, or kickbacks include, but are not limited to, personal gifts or gratuities that may be construed to have been given to influence the purchasing process.

Although such practices may be accepted in the private sector, giving and receiving gifts in the public sector may constitute a violation of law. A gift to a Public Servant is a Class A misdemeanor offense if the recipient is a government employee who exercises some influence in the purchasing process of the governmental body.

A Legacy Preparatory Charter Academy Food Services Department employee or former employee must not knowingly use confidential SNP information for the actual or anticipated personal benefit or benefit for any person or entity.

Legacy Preparatory Charter Academy will apply disciplinary actions (as listed below) for violations of above stated standards by Legacy Preparatory Charter Academy Food Services Department employees, officers, or agents acting on the Legacy Preparatory Charter Academy Food Services Department behalf.

Legacy Preparatory Charter Academy will apply the following disciplinary actions:

1. 1st Offense: Documented "verbal" reprimand and review Code of Conduct. Two district staff will be present and sign documents as witnesses.
2. 2nd Offense: Written reprimand. Two district staff will be present and sign documents as witnesses.
3. 3rd Offense: Termination.

Legacy Preparatory Charter Academy Food Services Department will provide guidance to each employee, officer, or agent acting on the Legacy Preparatory Charter Academy Food Services Department's behalf at the time of hire on how to avoid undue influence. Legacy Preparatory Charter Academy Food Services Department will offer training and provide all employees, officers, and agents acting on behalf of Legacy Preparatory Charter Academy Food Services Department with a copy of Legacy Preparatory Charter Academy's Employee Manual that addresses professional and ethical standards.

Legacy Preparatory Charter Academy Food Services Department requires any employee, officer, or agent acting on behalf of Legacy Preparatory Charter Academy Food Services Department to disclose in writing any possible situations where there is an appearance of incentives, gratuities, or kickbacks being received.

Benefits Received

Legacy Preparatory Charter Academy Food Services Department employees; officials; agents acting on the Legacy Preparatory Charter Academy Food Services Department behalf; any member of the immediate family of the Legacy Preparatory Charter Academy Food Services Department employee, officer, or agent acting on the Legacy Preparatory Charter Academy Food Services Department's behalf; or business partner of the Legacy Preparatory Charter Academy Food Services Department employee, officer, or agent acting on Legacy Preparatory Charter Academy Food Services Department's behalf must not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. When incentives are offered by the contractor and accepted by an individual, the incentive must become the property of Legacy Preparatory Charter Academy Food Services Department. Under no condition can the incentive become the property of an individual.

Written Procedures to Support Program Integrity

Legacy Preparatory Charter Academy Food Services Department uses the following written procedures on how it will avoid unallowable practices:

1. Legacy Preparatory Charter Academy Child Nutrition Procurement Manual
2. Legacy Preparatory Charter Academy Employee Handbook
3. Legacy Preparatory Charter Academy Board Policy
4. All employees sign an acknowledgment that they have read and understand the Code of Conduct in accordance with District Board Policy DH Local.

Conflicts of Interest, Other Individuals or Entities

Legacy Preparatory Charter Academy defines "other" as the

following but not limited to:

- Agent
- Business
- Consultant
- Contractor
- Cooperative
- Distributor
- Food Processor
- Food Service Management Company (FSMC)
- For Profit Organization
- Nonprofit Organization
- Third party
- Vendor

Legacy Preparatory Charter Academy will communicate its expectations and applicable procedures related to program integrity to individuals and entities acting on Legacy Preparatory Charter Academy's behalf. Legacy Preparatory Charter Academy will review all solicitations, agreements, contracts, and other communications prepared on their behalf to ensure compliance with all Federal and State requirements and regulations.

Necessary Documentation

Legacy Preparatory Charter Academy will ensure and require that all third-party entities provide adequate documentation and access to all documentation that allows the district to determine if the procurement regulations have been implemented appropriately. This includes, but not limited to, solicitation documents, evaluations, notification letters, and all documentation related to credits, rebates, discounts, and USDA food values.

Third Parties, Including Contractors and Cooperatives, Acting on Behalf of Legacy Preparatory Charter Academy

Legacy Preparatory Charter Academy will ensure that any third-party contractors or cooperatives that procure products and/or services on behalf of the CE will not be involved or allowed to procure the products and/or services from the third party's parent company, subsidiary of the parent company, or other entities with a financial relationship to the third party or cooperative.

Conflict of interest circumstances include, but are not limited to, a third-party purchasing from the third party owned (contractor or cooperative) or affiliated vendors. Also, if the third party publishes a solicitation and procures on behalf of a Legacy Preparatory Charter Academy, the third party cannot award a contract to the third party's parent company, a subsidiary company of the third party's parent company, or any entity with a financial relationship with the third party.

Persons or Companies Assisting in Developing a Solicitation

Legacy Preparatory Charter Academy may on occasion utilize resources from other entities to assist in the drafting of procurement documents.

- Legacy Preparatory Charter Academy will avoid conflicts of interest in the following ways:
    - Ensure that any agent, company, or cooperative assisting in the preparation of a solicitation or sharing resources will not be allowed to offer a bid response which also includes any parent or partner company.
        - Assistance will be considered, but not limited to, verbal or written input, sharing an already written solicitation or list of specifications, creating or input on an evaluation matrix, or involved in the award process.
- Legacy Preparatory Charter Academy will ensure if any individual, entity, business, or organization assists the district in the development of a solicitation or contract to procure additional services and/or products outside of the current contract, the district will not award the contract to an offer or if any one of the following conditions exist:
    - The offer is submitted by an individual, entity, business, or organization that assisted the district in the development of the solicitation.
    - The offer is submitted by the parent company of the individual, entity, business, or organization that assisted the district in the development of the solicitation.
    - The offer is submitted by any subsidiaries of the individual, entity, business, or organization that assisted the district in the development of the solicitation.
- Legacy Preparatory Charter Academy may survey prospective offer ors prior to developing a solicitation to ensure no conflict of interest will exist if services will be utilized to create the solicitation.
- Legacy Preparatory Charter Academy may incorporate the use of consultants, businesses, cooperatives, or other resources in the development of procurement methods if deemed necessary. Legacy Preparatory Charter Academy will follow all above written protocol to ensure proper procurement and follow through and avoid all conflicts of interest.

Certification Regarding Lobbying

Lobbying certification requirements are applicable to grants, sub-grants, cooperative agreements, and contracts exceeding $100,000 in federal funds.

Legacy Preparatory Charter Academy Food Services Department uses the following procedures

1. **Documentation**: Legacy Preparatory Charter Academy Food Services Department will take actions to ensure that the proper documentation is prepared, shared as required, and retained.

Use of Funds: Legacy Preparatory Charter Academy Food Services Department requires that federal funds must not be paid by or behalf of the Legacy Preparatory Charter Academy Food Services Department to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into a cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.

Debarment and Suspension

Legacy Preparatory Charter Academy and their subcontractors must not make or permit any award, sub-award, sub-grant, or contract with an individual or entity that is debarred or suspended or is otherwise excluded from or ineligible for participation in federal assistance programs, per the TDA Administrative Review Manual (ARM), Section 15.

- Legacy Preparatory Charter Academy Food Services Management Department will Include the following debarment and suspension certification in every written agreement with subcontractors:
  "{name of subcontracting organization } certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency or by the State of Texas. { name of subcontracting organization } shall immediately provide written notice to Legacy Preparatory Charter Academy Food Services Management Department if at any time the {name of subcontracting organization} learns that this certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Legacy Preparatory Charter Academy may rely upon a certification of a subcontractor that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered contract, unless it knows that the certification is erroneous.

- Legacy Preparatory Charter Academy Food Service Management Department will require the subcontractor to sign and submit the TDA form entitled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Covered Contracts (H2048)12" and maintain the signed form with its contract record.

- Legacy Preparatory Charter Academy Food Service Management Department will print the page from the System for Award Management (SAM) which indicates the subcontractor is not presently debarred or otherwise excluded from participation in the contract by any federal department or agency or by the State of Texas and will maintain that document on file with the contract documents. The System for Award Management can be accessed at www.sam.gov/portal/SAM/#1

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- Legacy Preparatory Charter Academy Food Services Management Department will Include the following debarment and suspension certification in every written agreement with subcontractors: *"{name of subcontracting organization } certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency or by the State of Texas. { name of subcontracting organization } shall immediately provide written notice to Legacy Preparatory Charter Academy Food Services Management Department if at any time the {name of subcontracting organization} learns that this certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Legacy Preparatory Charter Academy may rely upon a certification of a subcontractor that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered contract, unless it knows that the certification is erroneous.*

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Staff Purchase of Items on Awarded Contracts

Legacy Preparatory Charter Academy Food Service Management Department does not allow any employee, officer or agent acting on behalf of Legacy Preparatory Charter Academy Food Service Management Department to take advantage of Legacy Preparatory Charter Academy Food Service Management Department's procurement by purchasing off an awarded contract.

Per the ARM, Section 15, Confidentiality and Program Integrity, this type of activity as actually accepting the cash difference between the bid or discount price and the amount the individual would have paid for the item in the regular retail market. This is a financial incentive. When an individual pays for the purchase, the payment does not remove the financial incentive. Even if the contractor were to charge retail price, the individual would still be receiving the convenience of a personal delivery and would be accepting a favor from the contractor—therefore, this is an unallowable practice.

Food Taken From Schools

Legacy Preparatory Charter Academy Food Service Management Department does not allow any employee, officer, or agent acting on behalf of the Legacy Preparatory Charter Academy Food Service Management Department to take food or leftover food (including milk) from the premises for personal use, personal gain, or benefit to another person or entity.

Reporting of Fraud, Bribery, and Gratuity Violations

"Legacy Preparatory Charter Academy" will report, in writing to TDA, all violations of federal criminal law – fraud, bribery, or gratuity.

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in§ 200.338 Remedies for noncompliance, including suspension or debarment. (2 CFR 200.113; 31 U.S.C. 3321).

"Legacy Preparatory Charter Academy" defines fraud as:

Whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property provided under the National School Lunch Program and/or School Breakfast Program [and/or Special Milk Program] whether received directly or indirectly, shall, if such funds, assets or property are of a value of $100 or more, be fined no more than $25,000 or imprisoned not more than 5 years or both; or if such funds, assets or property are of a value of less than $100, be fined not more than $1,000 or imprisoned not more than 1 year or both. Whoever receives, conceals or retains for personal use or gain, funds, assets or property provided under the National School Lunch Program and/or School Breakfast Program, whether received directly or indirectly, knowing such funds, assets or property have been embezzled, willfully misapplied, stolen or obtained by fraud, shall be subject to the same penalties.

Program Integrity and Financial Management Systems

Legacy Preparatory Charter Academy is required to comply with generally accepted accounting principles (GAAP) for federally funded programs. Compliance with the GAAP includes compliance with the *Standards for Internal Control in the Federal Government*6 issued by the Comptroller General of the United States or the *Internal Control Integrated Framework* issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

Per the State of Texas, Legacy Preparatory Charter Academy must also apply all local and state financial and accounting requirements that are not in conflict with USDA regulations. This includes, but is not limited to, Texas Education Agency (TEA) regulations that apply to school districts and charter schools.

A financial management system provides safeguards that improve the stewardship of federal money and reduce fraud and improper payments using internal controls. Legacy Preparatory Charter Academy is responsible for compliance with all program regulations. This includes, but is not limited to, the following:

- Procurement practices
- Use of all funds, including allowable and unallowable costs
- Credit for all income to the nonprofit school food service account, including, but not limited to, reimbursements and other payments to the program
- Credit for the value of USDA Foods
- Credits, rebates, and discounts
- Operational requirements as defined in regulation

Legacy Preparatory Charter Academy fosters program integrity through internal controls in its financial management system, which includes:

- Angela Willis/ CFO and maintains effective oversight over the SNP's financial management system to ensure that Legacy Preparatory Charter Academy is managing the program in compliance with all federal, state, and local regulations and terms and conditions of the program award.
- Angela Willis/ CFO establishes and maintains effective oversight over actions related to all financial processes, including, but not limited to, accounting for revenue to the program.
- Angela Willis/ CFO establishes standards of ethical conduct for all financial actions, including, but not limited to, real or apparent conflicts of interest.
- Angela Willis/ CFO governs the performance of employees, officers, or agents of the district that are engaged in the selection, award, and administration of the contracts.
- Angela Willis/ CFO ensures that the district is prohibiting the solicitation and acceptance of gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
- Angela Willis/ CFO establishes standards for situations when an unsolicited gift of nominal value may be accepted.
- Angela Willis/ CFO creates procedures for employee disclosure of and action to address all real or apparent conflicts of interest.
- Angela Willis/ CFO create procedures for disciplinary actions for violations of ethical standards or code of conduct.

Angela Willis/ CFO establishes training to assist employees in avoiding conflicts of interest and addressing conflicts of interest.
Legacy Preparatory Charter Academy includes the following methods to ensure quality internal controls for financial systems:

- Effectiveness and efficiency of operations
    - Trackable method to reconcile all financial transactions, including but not limited to, bank statements and claims
    - Method to maintain accountability for assets
- Reliability of reporting for internal and external use
    - Preparation of reliable financial statements and reports
    - Safeguards for the loss from unauthorized use or disposition of funds, property, and other assets which safeguarded against loss from unauthorized use or disposition which includes, but is not limited to, the following:
        - Segregation of financial duties
        - Restricted access to information, one person does not control all financial operations.

        - Edit check mechanisms built into all financial management operations.
- Compliance with applicable laws and regulations.
    - Demonstrate compliance with federal, state, and local statutes, regulations, and the terms and conditions of the program award.
    - Prompt action when instances of noncompliance are identified including, but not limited to, noncompliance identified in audit findings.

Legacy Preparatory Charter Academy utilizes the following employee positions for the listed duties to ensure compliance with all regulations regarding financial systems and code of conduct:

- CFO
- Purchasing Coordinator
- Food Service Director
- Food Service Coordinator

Records Retention

Legacy Preparatory Charter Academy will maintain records for all program operations, including procedures and processes related to program integrity. Records related to program integrity will include documentation related to all operational issues, including, but not limited to, financial management and procurement.

Legacy Preparatory Charter Academy keeps all records electronically and on paper.

Legacy Preparatory Charter Academy keeps all records accessible to appropriate district employees and federal or state reviewers. All records are kept electronically and on paper for a minimum of 5 years.