Conflict of Interest Policy

Overview

[Entity type] officers individually commit themselves in their official capacity to ethical, businesslike, and lawful conduct, including appropriate use of their authority and decorum at all times. Officers must avoid even the appearance of impropriety to ensure and maintain public confidence in the [Entity type]. Officers owe a fiduciary duty to the [Entity type] and must not act in a manner that is contrary to that duty or to the interests of the [Entity type]. Officers must place the interests of the [Entity type] over their own personal interests with respect to the governance, policy, strategic direction and operations of the [Entity type].

Policy

It is the intent of the [governing body] to meet and exceed those protections against conflicts of interest contained in State law. Under this policy, a conflict of interest arises when an officer has a personal interest in a matter that is or may be in conflict with or contrary to the [Entity type]’s interests and objectives to such an extent that the officer is or may not be able to exercise independent and objective judgment within the context of the best interest of the [Entity type]. For the purposes of this policy, an officer’s “personal interest” includes those of his or her relatives, business associates or other persons or organizations with whom he or she is closely associated.

1. The following provisions shall serve as a guide to officers with respect to the affairs of the [Entity type]:

a. [Entity type] officers shall not receive, accept, take or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person or entity if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment, or be considered as part of a reward for action or inaction. Officers are required to submit a report to the [governing body] and the [Entity type]’s Internal Auditor of the actual or estimated value of any gifts or casual entertainment received as an officer that exceeds $50.00.

b. The complete confidentiality of proprietary business information must be respected at all times. Officers are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of the [Entity type], or to individually conduct negotiations or make contacts or inquiries on behalf of the [Entity type] unless officially designated by the [governing body].

c. Officers are prohibited from acquiring or having a financial interest in any property that the [Entity type] acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the [entity type] does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the officer in a position to materially influence or affect the business relationship between the [Entity type] and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the [Entity type] is prohibited if this interest or relationship might tend to impair the ability of the officer(s) to be independent and objective in his or her service to the [Entity type].

d. If members of the immediate family of an officer have a financial interest as specified above, such interest shall be fully disclosed to the [governing body] which shall decide if such interest should prevent the [Entity type] from entering into a particular transaction, purchase, or engagement of services. The term “immediate family” means officer’s spouse, parent, dependent children, and other dependent relatives.

e. When a conflict of interest exists, the officer shall publicly declare the nature of the conflict and may recuse him or herself on any official action involving the conflict.

f. Officers may not realize, seek, or acquire a personal interest in a business that does business with the [Entity type].

g. Officers shall complete a Conflict of Interest Disclosure Form annually by the end of January. This Form shall be signed and notarized. Completed Forms shall be submitted to the [Records Officer] and made available to the public upon request.

h. The [Records Officer] shall provide copies of all completed Forms to the governing body] Chair at the end of January each year.

i. The [governing body] Chair shall review all completed forms and consider the disclosures. The [governing body] Chair should make changes to assignments, duties, or contracts deemed appropriate to eliminate or mitigate conflicts of interest within the [Entity type].