

# **CONFLICT OF INTEREST POLICY**

## **ST. PATRICKS SCHOOL FOUNDATION**

### **PURPOSE**

The purpose of a conflict of interest policy is to protect the interests of St Patricks School Foundation in Carleton MI when it is contemplating providing a financial award that might benefit an interested person. It also seeks to ensure the highest standards of integrity, ethical behavior, fiscal transparency, and public responsibility. This policy is intended to supplement but not replace any applicable state or federal laws governing conflicts of interest applicable to non-profit and charitable corporations.

### **DEFINITIONS**

1. **Interested Person** – An interested person is a member of the governing board with delegated powers who has a direct or indirect financial interest, as defined below.
  
2. **Financial Interest** – A person has a financial interest if the person has, directly or indirectly, through business, investment, or family (including spouses; siblings; spouses of siblings; ancestors; children, grandchildren, and great grandchildren; and spouses of children, grandchildren, and great grandchildren):
  - a. An ownership or investment interest in any entity with which St Patrick’s School has a transaction or arrangement,
  
  - b. A compensation arrangement with the St. Patricks School or with any entity or individual with which the St. Patricks School has a transaction or arrangement, or
  
  - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the St. Patricks School is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the board decides that a conflict of interest exists, in accordance with this policy.

### **PROCEDURES**

1. **Duty to Disclose** – In connection with any actual or possible conflict of interest, an interested person must disclose the existence and nature of his/her financial interest and all material facts to the applicable board.
  
2. **Recusal of Self** – An interested person may recuse him/herself at any time from involvement in any decision or discussion in which he/she may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.
  
3. **Determining Whether a Conflict of Interest Exists** – After disclosure of the financial interest and all material facts, and after any discussions with the interested person, that person shall leave the applicable meeting while the determination of a conflict of interest is discussed and voted upon.
  
4. **Addressing the Conflict of Interest**
  - a. An interested person may make a presentation at the applicable meeting. After the presentation, he/she shall leave the meeting during the discussion of, and vote on, the transaction or arrangement involving the possible conflict of interest.

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- b. The managing director of the board, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the board shall determine whether the organization can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that will not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under the circumstances that would not give rise to a conflict of interest, the board shall determine by a majority vote whether the transaction or arrangement is in the organization's best interest and for its own benefit and whether the transaction is fair and reasonable to the organization, and it shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

### **VIOLATIONS OF THE CONFLICT OF INTEREST POLICY**

1. Adherence to this policy is mandatory and non-compliance can and may lead to dismissal from this board.
2. If the board has reasonable cause to believe that an interested person has failed to disclose actual or possible conflicts of interest, it shall inform the individual of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose.
3. If, after hearing the response of the person and making such further investigation as may be warranted under the circumstances, the board, committee/commission/council, or employer determines that the individual has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate corrective action.

### **SUBSEQUENT CONFLICTS AND DISCLOSURES**

Notwithstanding previous disclosure or actual or potential conflicts of interest, an individual shall make a new disclosure of conflicts when any matter involving the conflict of interest arises for discussion or action. In the event that an individual is uncertain whether an actual or potential conflict of interest exists, the individual should make disclosure of the circumstances that may give rise to an actual or potential conflict.

### **CONFIDENTIAL OR PRIVILEGED INFORMATION**

Information known to be confidential that is acquired by individuals in the course of employment or association with the St. Patricks School Foundation and its affiliated entities shall be used only for the benefit and purposes of St. Patricks School. Individuals shall neither disclose confidential information outside the scope of their authorized duties nor utilize their position or association with the foundation for personal identification or advantage, although there may be instances, based on the use of careful discretion and judgment, where incidental use of the association with the foundation may be appropriate.

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**ROMAN CATHOLIC ST. PATRICKS SCHOOL  
ANNUAL CONFLICT OF INTEREST DISCLOSURE FORM**

1. Name: \_\_\_\_\_ Date: \_\_\_\_\_

A conflict of interest, or an appearance of a conflict, can arise whenever a transaction, or an action, of the St. Patricks School conflicts with your personal interests, financial or otherwise. Please describe below any relationships, transaction, or positions you hold (volunteer or otherwise), or circumstances that you believe could create a conflict of interest, now or in the future, between the St. Patricks School and your personal interests

\_\_\_\_\_ I have no conflict of interests to report.

I have the following conflict of interests, or potential conflicts of interests, to report:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

I affirm the following:

\_\_\_\_\_ I have received a copy of the St. Patricks School Foundation Conflict of Interest Policy.

\_\_\_\_\_ I have read and understand that it is my obligation to disclose a conflict of interest, or appearance of a conflict, to the applicable board, committee/commission/council or employer when a conflict, or appearance of a conflict, arises, and that for transactions in which I have a conflict, I will abstain from any vote on the matter involving the conflict.

\_\_\_\_\_ I agree to comply with the policy.

\_\_\_\_\_  
Signature \_\_\_\_\_ Date: \_\_\_\_\_