



The Durham Collaborative Board of Advisors
Board Member Conflict-of-Interest Disclosure Form

Date _____

Name _____

A conflict of interest, or an appearance of a conflict, exists when a Board member, an immediate family of a Board member, or the Board member's employer has a personal interest or financial interest or other interest in transaction, or an action of the Durham Collaborative Division.

Please describe below any relationships, transactions, 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 Durham Collaborative and your personal interests, financial or otherwise:

_____ 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 have reviewed the Durham Collaborative's conflict of interest policy. I understand: (1) that it is my obligation to disclose a conflict of interest, or appearance of a conflict, to the chair and recorder of the Board when a conflict, or appearance of a conflict, arises; and (2) that for transactions in which I have a conflict, I will abstain from any vote on the matter involving the conflict.

Signature: _____ Date: _____

Conflict of Interest Policy

Adopted by the Durham Collaborative Board of Advisors Executive Committee on October 1, 2020.

Adopted by Durham Collaborative Board of Advisors (full Board) on October 15, 2020.

Article I: Purpose of Conflict-of-Interest Policy

The purpose of the conflict-of-interest policy is to protect the Durham Collaborative's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer, committee chair, or Board member. Although it is an independent entity, members of the Durham Collaborative are bound by the City of Durham's existing Code of Ethics. This policy is intended to supplement but not replace any applicable local, state, and federal laws or codes governing conflict of interest applicable to City of Durham boards.

Article II: Procedures

1. Board Members' Duty to Disclose

Regarding any conflict, whether actual, possible, or the appearance thereof, a Board member must disclose the nature conflict of all material facts in writing to the Board chair.

2. Determination of a Conflict-of-Interest Effect

- a. A Board member making a disclosure of conflict, whether actual, possible, or the appearance of, may, but is not required to, make a presentation about the conflict to the full Board, but after the presentation.
- b. If the Board member disclosing a conflict makes a presentation to the Board, he or she shall leave the meeting following the presentation to allow for the Board's discussion of, and vote on, conflict.
- c. The Board must determine, and vote upon, whether there is a conflict of interest. Such a decision shall be final and binding upon a Board member.
- d. Any Board member with a conflict, as determined by the Board, shall not participate as a Board member in the deliberation of discussion about the item creating a conflict. The Board member with a conflict may participate as a

speaker on such item in the same manner as any other speaker who presents to the Board.

3. Violations of Conflict-of-Interest Policy

- a. If the Board has reasonable cause to believe a Board member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis of such belief and the Board member may, but is not required to, explain the alleged failure to disclose.
- b. If, after hearing the Board member's explanation, if any, and after making further investigation as warranted by the circumstances, the Board determines the Board member has failed to disclose an actual or possible conflict of interest, it shall take action as stated in Article VIII, Section 1f, of the Durham Compact Board of Advisors Bylaws.

Article III: Documentation of Proceedings

The minutes of the Board shall contain:

- (1) The names of the Board members who disclosed an actual, possible, or appearance of conflict of interest;
- (2) The nature of the conflict of interest;
- (3) Any additional action taken to determine whether a conflict of interest was present (e.g., investigation);
- (4) The names of persons who were present for discussions and votes on the conflict of interest;
- (5) The content of the discussion; and
- (6) The Board's decision and individual votes about whether a conflict of interest in fact existed.

Article IV: Annual Statements

Each Board member shall annually sign a statement that affirms such person: (a) has received a copy of the conflict-of-interest policy; (b) has read and understands the policy; and (c) has agreed to comply with the policy. Each Board member is also required to complete an updated Conflict of Interests Disclosure Form annually.