

## Association of Yukon School Councils, Boards & Committees

**Policy: CONFLICT OF INTEREST**

Date adopted: April 26, 2002

Date reviewed: \_\_\_\_\_

### **Executive Members**

#### **Intent**

The Conflict of Interest Policy is designed to enhance membership confidence in the integrity of the Executive and the Association. The policy will:

- encourage experienced and competent persons to seek and accept Executive positions;
- establish clear rules of conduct respecting conflict of interest;
- minimize the possibility of conflicts arising between private interests and Association duties of Executive Members and provide for the resolution of such conflicts in the best interest of the Association should they arise.

#### **Expectations**

In keeping with the principles described below each Executive Member is responsible for taking such action as is necessary to prevent real, potential or apparent conflicts of interest. No person shall become or remain an Executive Member where that person is in an ongoing position of conflict of interest with the Association. The Executive Member is also required to observe any specific conduct requirements contained in the constitution, bylaws and policies governing Association activities.

Every Executive Member shall conform to the following principles:

1. An Executive Member must not allow personal interests or the interests of a third party to conflict with the interests of the organization;
2. Perform their duties and arrange their private and school council, school board or school committee affairs in such a manner that membership confidence and trust in the integrity, objectivity and impartiality of the Association are conserved and enhanced;
3. Have an obligation to act in a manner that will bear the closest scrutiny, an obligation that is not fully discharged by simply acting within the Constitution, Bylaws and policies;
4. Shall not have private interests, that would be affected particularly or significantly by Association actions in which they participate;
5. Shall not enter into any business with the Association in which they are interested directly or indirectly except having declared any interest therein, and the applicable member having received direction from the Executive;

6. Shall not solicit or accept transfers of economic benefit unless the transfer is pursuant to an enforceable contract or property right of the Executive Member;
7. Shall not step out of their official roles to assist private entities, persons or third parties in their dealings with the Association where this would result in preferential treatment to any person;
8. Shall not knowingly take advantage of, or benefit from, information that is obtained in the course of their official duties and responsibilities and that is not generally available to the public;
9. Shall not act, after they leave their Executive position, in such a manner as to take improper advantage of their previous position on the Executive.

### **Certification Document**

Prior to assuming their duties on the Executive, members must sign a document certifying that they have read and understood this Conflict of Interest Policy and that they will abide by this policy.

### **Annual Review**

All Executive members are required to review their obligations under the Conflict of Interest Policy on an annual basis.

### **Compliance**

An Executive member complies with this policy by avoiding or withdrawing from activities or situations that would place the member in a real, potential or apparent conflict of interest relative to his/her official duties and responsibilities.

An Executive member must not accord preferential treatment in relation to any official matter to family members or friends, or to organizations in which their family members, friends or colleagues have an interest. Care must be taken to avoid being placed, or appearing to be placed, under obligation to any person or organization that might profit from special consideration by the Executive member.

An Executive member must not, without prior authorization of the Executive, offer assistance in dealing with Association business to any individual, organization or entity where such assistance is outside their official role.

If at anytime an Executive member feels they are in a conflict of interest situation they are to immediately declare the details of the conflict of interest to the Executive. If a conflict of interest arises at a meeting, the Executive Member shall declare the details of that conflict before discussion of the question and request the Executive's direction on his/her conduct in such cases. An Executive Member who abstains from participation due to conflict of interest shall not be included in determining a quorum. The minutes must record all declarations of conflict.

### Non-Compliance

Failure of an Executive member to comply with this policy will result in disciplinary action and/or expulsion from the Association. Depending on the nature of the conflict of interest the member may be prohibited from pursuing a position on the Executive in the future.

Refer to Policy: Process for dealing with Non-Compliance with Bylaws, Policies and Procedures