

Supporting Possibilities in Responsible Independent Teens (SPIRIT NYS) Conflict or Duality of Interest Policy

April 2021

PURPOSE

SPIRIT NYS, Inc. [SPIRIT NYS] is a non-profit organization that relies on volunteerism, professional contractors and, potentially, employees from a diverse group of individuals with a variety of professional and personal interests and commitments. The purpose of this Conflict of Interest Policy is to protect SPIRIT NYS's integrity and interests when considering an action or entering into a transaction that might benefit the private interests of a chair, officer, or key person¹ in the organization or violate any state or federal laws governing conflicts of interest applicable to non-profit charitable organizations. The goal in adopting and adhering to this policy is that all SPIRIT NYS decisions and actions be taken with an objective assessment of what is in the best interest of SPIRIT NYS and no others. Chairs, officers, independent contractors and employees are expected to avoid real or perceived conflict between their personal or professional activities and the goals or activities of SPIRIT NYS. Even the appearance of conflict can harm the goals and activities of SPIRIT NYS.

¹Key person refers to any individual, other than chair or officer, whether or not employed by SPRIT, who:
(a) exercises influence over the organization or its chairs or officers;
(b) manages the assets, income or expenses of the organization; or
(c) contributes to the control or management of the organization's operation budget.

DISCLOSURES of Potential Conflicts of Interest

Before their initial election and each year thereafter, Executive Board members, Advisory Board members, officers and key persons (described earlier) are required to review, sign and submit a Conflict of Interest Disclosure statement which will be retained by the SPIRIT NYS records retention designee. In addition to the required annual disclosure, any of the above individuals who has a potential conflict of interest, during the year, with any outside organization, corporation or funding agency must disclose this to the Chief Policy Officer as soon as the individual becomes aware of the potential conflict but before any actions involving the potential conflict are taken.

Potential Conflicts of Interest

Conflicts of interest that might occur or are may be perceived to exist between members, officers or key persons with any corporation or organization that supports SPIRIT NYS must be reported. This includes a relationship with an organization that might potentially influence an individual's real or perceived objectivity in decision making relative to SPIRIT NYS or the other entity. Reporting applies to spouse, partners and dependents and covers involvement within the previous 12 months. Positions and benefits include:

1. Officer, trustee, chair or any other fiduciary role.
2. Consulting fees or honoraria, including gifts or in-kind compensation for any service.
3. Royalty income or the right to receive future royalties on any product or marketing tool.
4. Intellectual property rights.
5. Research grants.
6. Other financial or other benefits (please specify when reporting).

PROCEDURES for REVIEW

Potential conflicts of interest will be reported in writing to the Chief Policy Officer or to the Board, which shall review all. If the potential conflict involves financial interests, all material facts will be reviewed, including discussion with the interested person. Material facts of a nonfinancial interest will be reviewed, following disclosure, only upon request by a Board member. The Board will determine whether a conflict of interest exists. Board members who are determined to have a real or potential conflict of interest will be prohibited from discussion, after responding to Board questions, or voting on any action involving that potential conflict of interest.

If a conflict of interest interferes substantially with the advancement of SPIRIT NYS goals or there is a failure to disclose a potential conflict of interest, the Board may terminate the relationship with the concerned member, officer or key person.

RECORDS of PROCEEDINGS

Minutes of the Board meetings shall contain a record of discussion involving potential conflicts of interest, determinations about whether a conflict of interest existed, and actions taken as a result of these determinations.

Conflict or Duality of Interest and Disclosure Form

Please provide all information requested, sign, date, and return to: Chief Policy Officer (and if unavailable to the Chair of the Board) _____

I, _____, have read the policy on conflict or duality of interest and believe that (check one):

☐ I have no relationships to disclose OR

☐ I have a relationship with a corporation, agency, or organization, which I have disclosed below, such that my participation in SPIRIT NYS could represent or be perceived to represent a conflict or duality of interest.

I acknowledge that it is my responsibility to ensure that my disclosure information is current and complete and to update my disclosure records throughout the year if my relevant relationships change or any perceived or actual conflict of interest arises.

It is my understanding that this information will be retained in SPIRIT NYS files and will be available for review by members, prospective members, and others who inquire. I further understand that this information may be shared with SPIRIT NYS legal counsel and accountant.

Signature: _____

Date: _____

Position: _____

Please note that in disclosing any of the following financial or commercial interests or other organizational relationships, you are to include and perceived or actual conflicts of interest that may relate to:

- Yourself, spouse/partner, and dependents
- Any relationships during the past 12 months, whether they are still in existence or not
- Any relationships with other nonprofit organizations, for-profit companies, governmental agencies, and/or funders that might be perceived by others as potentially influencing your objectivity in any activities in which you participate.

Relationships to be Disclosed:

Entity type (e.g. corporate, government)	Name of Organization	Renumeration type (e.g. position, fees, salary, in- kind gifts)	Is the amount greater than \$5000?

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