


Effective Date		Date of Revision		<h1>Policies, Rules And Regulations</h1>
6-19-74		3-19-02		
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UNIVERSITY POLICY STATEMENT:

It is the policy of the Board of Regents of Eastern Michigan University that all Board members and the President comply with the Constitution and laws of the State of Michigan pertaining to conflicts of interest. Board members and the President are subject to the provisions of Section 10, Article IV of the Michigan Constitution of 1963 and Act 318 of the Michigan Public Acts of 1968 as amended (MCLA 15.301 et seq). The constitutional and statutory provisions provide in pertinent part that no Board member or the President shall be interested either directly or indirectly in any contract with the University, the State or any political subdivision of the State, which shall cause a substantial conflict of interest. "Interested" as used herein shall mean a pecuniary interest.

If there is a conflict of interest on the part of a Board member or the President in respect to a contract within the University, and if the personal interest of the Board member or the President is of such substance to induce action on his or her part in promoting the contract for his or her personal benefit, then the conflict of interest shall be deemed to be substantial. A substantial conflict of interest of a Board member or the President shall also be deemed to exist as to any contract between the University and 1) any firm, partnership or other unincorporated association, in which the Board member or the President is a partner, member or employee; 2) any corporation in which the Board member or the President is a stockholder owning more than 1% of the total stock outstanding in any class if the stock is not listed on a stock exchange or the stock has a present market value in excess of \$25,000 if the stock is listed on a stock exchange; 3) any corporation where the Board member or the President is a director, officer or employee; or 4) any trust of which the Board member or the President is a beneficiary or trustee, or a corporation in whose stock the trust funds are invested, if the investment exceeds the amounts specified in sub-paragraph 2 above.

Notwithstanding the above, there shall be deemed to be no conflict of interest which is substantial with respect to a University contract in which a Board member or the President has an interest, which is awarded to the lowest qualified bidder upon receipt of sealed bids pursuant to published notice for bids provided the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This sub-paragraph does not apply to amendments or renegotiations of a contract or to additional payments under the contract which were not authorized at the time of the award. Further, there shall be deemed no conflict of interest which is substantial with respect to a University contract with a professional limited liability company organized under Michigan law, if a Board member or the President is an employee but not a member of the company.

Prior to the award of any University contract in which a Board member or the President has an interest, full disclosure of the contract shall be made to the Board of Regents. Further, the interested Board member or the interested President shall not solicit the contract and shall take

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no part in the negotiations for or in the approval of the contract or any amendment to the contract, and shall not represent either party in the transaction.

In addition to the above, no Board member shall accept any payment, remuneration, gratuity or other money or property of any kind from a corporation, individual or entity which is engaged in one or more business transactions with the University where there is any relationship, direct or indirect, between the payment to the individual and the transaction with the University.

UNIVERSITY PRACTICE

University practices for implementing this policy include:

1. Members of the Board of Regents and the University President shall complete a disclosure statement annually reporting any financial conflict of interest or potential conflict of interest, financial or otherwise, to the University.
2. A disclosure statement for Board members and the University President is available for compliance with this policy.
3. Members of the Board of Regents and the University President shall be required to promptly complete and file an amended disclosure statement upon the occurrence of any change in circumstances or discovery of any new information that would alter the previous statement.

RESPONSIBILITY FOR IMPLEMENTATION

It is the individual responsibility of each Board member and the University President to disclose conflicts of interest or potential conflict of interest to the University. The University's Internal Auditor is directly responsible for developing appropriate procedures for implementing the provisions of this policy.

SCOPE OF POLICY COVERAGE

This policy affects all members of the Board of Regents and the President of Eastern Michigan University.

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DISCLOSURE

I have received and read the University Board of Regent's Policy on Conflict of Interest, and am in compliance with the policy.

Required disclosures pursuant to the policy are set forth below:

In accordance with the Board of Regent's Conflict of Interest Policy, I understand that I have a continuing obligation to promptly prepare and file an amended disclosure upon the occurrence of any change in circumstances which would alter any response previously made or upon the discovery of any new information which would alter a response previously made on my disclosure document.

It is understood that this form (and its attachments) become part of a confidential file of Eastern Michigan University, to be used only to the extent necessary for the administration and verification of the Conflict of Interest Policy within.

NAME _____ DATE _____

Authority for Creation or Revision
Minutes of the Board of Regents, June 19, 1974; para. .1384M. Minutes of the Board of Regents, December 2, 1987; para. .3634M.

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Minutes of the Board of Regents, March 19, 2002 para .5952M