POLICY

**RE: Conflict of Interest Policy**

**and**

 **Personal Statement Concerning the Policy**

**Board of Trustees**

Nevada State College Foundation

**Henderson, Nevada**

**Applicability**

All members of the Nevada State College Foundation (NSCF) Board of Trustees and Nevada State College (NSC) members associated with the NSCF shall adhere to the following policy.

**Policy**

The Trustees, Officers and Employees of the Nevada State College Foundation (NSCF) shall avoid the appearance or actuality of private benefit to persons who are in a position of substantial authority. When an actual or potential conflict arises, this policy shall direct the decision of the Foundation’s Board of Trustees. This policy is intended to supplement, but not replace, State of Nevada laws governing conflicts of interest in nonprofit charitable organizations. Each individual Foundation Board member must disclose annually to the NSCF any personal interest which one might have in any matter pending before the Foundation and shall refrain from participation in any decision on such matter.

**Conflicts of Interest**

Actual, potential or perceived conflicts of interest include, directly or indirectly:

 1. Holding any ownership in a business or profession that provides goods or services to NSCF and /or NSC, unless declared.

 2. Having a financial or other interest in a transaction with NSCF and/or NSC.

 3. Acting in multiple capacities either within or without NSCF and/or NSC in any matter or transaction related to NSCF and NSC.

 4. Receiving compensation for services to NSCF and/or NSC, other than approved compensation for staff.

 5. Accepting favors, gifts, gratuities, or taking part in any activities or transactions that relate to, affect or influence decisions made for, regarding, or on behalf of NSCF and/or NSC.

 6. Using donor information or relationship inappropriately or in ways that might damage donor confidentiality and/or relationships with NSCF and/or NSC.

 7. Participating in any arrangements or transactions which might give the appearance of a “conflict of interest.”

**Reporting and Resolution Procedures**

Actual, potential or perceived “conflicts of interest” must be reported in writing as soon as they arise to the Chair of the NSCF Board of Trustees and to the President of NSC. Acting together, The Chair and the President will in their discretion either resolve the actual, potential or perceived conflict and so advise the “reporter” in writing, or will bring the matter to the Executive Committee of the Foundation Board or to the full Board of Trustees for resolution. If the matter is brought to the Executive Committee of the Foundation’s Board or to the full Board, members of the Board will abstain from voting when a conflict matter involving them is addressed.

Each reported “conflict of interest” must include in the procedure;

 1. A written determination whether a conflict of interest exists.

 2. A written procedure for addressing the conflict of interest.

 3. A written resolution for ending the conflict of interest including disciplinary and corrective action up to and including removal from the Board of Trustees and/or employment with NSCF and/or NSC.

 4. The final resolution must be recorded in the official “minutes” of NSCF.

**Questions**

Questions relating to this policy should be directed to the Chair of the Board of Trustees of Nevada State College Foundation and/or to the President of Nevada State College.

**Annual Reporting**

All persons covered by this policy shall complete and sign a “Conflicts of Interest Statement” annually at the first NSCF Board meeting of the new fiscal year. Such statement will serve as a continuing reminder and control mechanism, but should not modify the obligation for members to report actual, potential and/or perceived conflicts as they arise. Each Trustee, Officer and Employee associated with NSCF with Board designated powers shall annually sign a statement which affirms that such an individual:

 1. Has received a copy of the “Conflicts of Interest” Policy,

 2. Has read and understands the Policy,

 3. Has agreed to comply with the Policy, and,

 4. Understands that the NSCF is a charitable organization and that in order to maintain its federal tax exemption, it must engage in activities which accomplish one or more of its tax-exempt purposes.

**Periodic Reviews**

To ensure that NSCF operates in a manner consistent with its charitable purposes, and that it does not engage in activities that could jeopardize its status as an organization exempt from Federal income tax, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

 1. Whether compensation arrangements and benefits are reasonable and the results of arm’s-length bargaining.

 2. Whether provider services result in inurement or impermissible private benefit.

 3. Whether partnership and joint venture arrangements conform to written policies, are properly recorded, reflect reasonable payments for goods and services, further the Foundation’s charitable purposes, and do not result in inurement or impermissible private benefit.

 4. Whether agreements with other providers, employees, and third-party entities further the Foundation’s charitable purposes and do not result in inurement or impermissible private benefit.

Adopted: June, 2009

/s/ Glenn Christenson /s/ Fred Maryanski

Chair, NSC Foundation President, NSC

June 14, 2009 June 15, 2009

APPROVED 6.2009

UPDATED 8.2010

REVIEWED 9.2011

REVIEWED 9.2013

REVIEWED 9.2015

**Annual Disclosure Form for “Conflicts of Interest”**

**Board of Trustees**

**Nevada State College Foundation**

**Henderson, Nevada**

As a member of the Board of Trustees of Nevada State College Foundation, and/or a Nevada State College staff member associated with the Foundation, and/or an Employee of the Foundation, I have read the Policy on “Conflicts of Interest” and report the following:

1. ( ) I have no “Conflicts of Interest as described in the Policy statement.

2. ( ) In addition to my service for NSCF, at this time I am a Board member or an employee of the following nonprofit organizations: A.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 B.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 E.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. ( ) I have reported actual, potential and/or perceived “Conflicts of Interest” below, or arrangements that might give rise to the appearance of a conflict.

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4. ( ) I have an association with another entity within the Nevada System of Higher Education as listed below, and is not a conflict of interest.

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This is to certify that, except with regard to carrying out my duties as an employee or Trustee of the NSCF or as described below, I am not now nor at any time during the past year have been:

 A. A participant, directly or indirectly, in any arrangement, agreement, investment, or other activity with any vendor, supplier, or other party doing business with the NSCF which has resulted or could result in personal benefit to me.

 B. A recipient, directly or indirectly, of any salary payments or loans or gifts of any kind or any free service or discounts or other fees from or on behalf of any person or organization engaged in any transaction with the NSCF.

Any exceptions to A or B above are stated above in numbers 1 – 4 in a brief description of the transactions and of the interest, whether direct or indirect, which I have (or have had during the past year) in the persons or organizations having transactions with the NSCF.

In the event that at any future date I believe I may have an actual, potential, and/or perceived “conflict of interest” as described in the NSC Foundation’s “Policy” above, I will promptly disclose such matter to the Chair of the Nevada State College Foundation Board of Trustees.

Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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APPROVED 6.2009; UPDATED 8.2010; REVIEWED 9.2011; REVIEWED 9.2013; REVIEWED 9.2013