

AKRON AREA ARTS ALLIANCE (dba SUMMIT ARTSPACE)
POLICY STATEMENT
SUBJECT: CONFLICT OF INTEREST POLICY
DATE APPROVED BY BOARD: JULY 28, 2015

This Conflict of Interest Policy governs the activities of the board and staff of the Akron Area Arts Alliance (AAAA). Questions about the policy should be directed to the Executive Director or Board Chair. It is the duty of all board members and staff to be aware of this policy, and to identify conflicts of interest and situations that may result in the appearance of a conflict and to disclose those situations/conflicts/or potential conflicts to the Executive Director or Board Chair as appropriate. This policy provides guidelines for identifying conflicts, disclosing conflicts and procedures to be followed to assist AAAA to manage conflicts of interest and situations that may result in the appearance of a conflict.

1. What is a conflict of interest? A conflict of interest arises when a board member or staff member has a personal or professional interest that conflicts with the interests of AAAA or arises in situations where a board member or staff member has divided loyalties (also known as a “duality of interest”). The former can result in situations that result in inappropriate financial gain to persons in authority at AAAA which can lead to financial penalties and violations of IRS regulations. Similarly, situations or transactions arising out of a conflict of interest can result in either inappropriate financial gain or the appearance of a lack of integrity in AAAA decision-making processes. Both results are damaging to AAAA and are to be avoided.

2. Who might be affected by this policy? Typically persons who are affected by a conflict of interest policy are the organization’s board members, officers and senior staff. In some cases a major donor could also be in a conflict situation. AAAA takes a broad view of conflicts and board members and staff members are urged to think about how a situation or transaction would appear to outside parties when identifying conflicts or possible conflicts of interest.

3. Disclosure of Conflicts. Board members and staff members will annually disclose and promptly update any disclosures previously made on an Annual Conflict Disclosure Questionnaire form provided by AAAA that requests them to identify their interests that could give rise to conflicts of interest, such as a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members as well as other nonprofit organizations.

Board and staff are also urged to disclose conflicts as they arise as well as to disclose those situations that are evolving that may result in a conflict of interest. Advance disclosure must occur so that a determination may be made as to the appropriate plan of action to manage the conflict. Staff should disclose to the Executive Director and board members should disclose to the Board Chair as soon as the person with the conflict is aware of the conflict/potential conflict or appearance of a conflict exists.

A board member or staff member who has declared or disclosed the existence of a conflict of interest shall not participate in or be part of any deliberation or decision relating to that individual’s declared conflict.

A board member may also be asked to resign or be removed from the board based on the Conflict of Interest declaration. Failure to declare or disclose any possible conflict of interest shall constitute a violation of this policy, which may result in disciplinary action including termination of employment or removal from the board of directors.

4. Procedures to manage conflicts. For each interest disclosed, the full board, the Executive Director or the Board Chair, as appropriate, will determine whether the organization should: take no action; disclose the situation more broadly and invite discussion/resolution by the full board of what action to take; or refrain from taking action and otherwise avoid the conflict. In most cases the broadest disclosure possible is advisable so that leaders can make informed decisions that are in the best interests of the organization.

- When the conflict involves a decision-maker, the person with the conflict (“interested party”) must fully disclose the conflict to all other decision-makers and may not be involved in the decision of what action to take (e.g., may not participate in a vote), but may serve as a resource to provide other decision-makers with needed information.
- In some cases the person with the conflict may be asked to recuse him/herself from sensitive discussions so as not to unduly influence the discussion of the conflict.
- In all cases, decisions involving a conflict will be made only by disinterested persons
- The fact that a conflict was managed and the outcome will be documented in the minutes of board meetings if the conflict was related to a board member, and reported by the Executive Director to the Board Chair, the board, and/or a board committee if the conflict was related to a staff member.
- The Board Chair and other officers, as appropriate, will monitor proposed or ongoing transactions of the organization (e.g., contracts with vendors and collaborations with third parties) for conflicts of interest and disclose them to the Board and staff, as appropriate, whether discovered before or after the transaction has occurred.

**Akron Area Arts Alliance (dba Summit Artspace)
Conflict of Interest Disclosure Form**

Date: _____

Name: _____

Position (employee/board member/volunteer): _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between AAAA and your personal interests, financial or otherwise:

_____ I have no conflict of interest to report

_____ I have the following conflict(s) of interest to report _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Conflict of Interest Policy of the Akron Area Arts Alliance.

Signature: _____

Date: _____