

This statement must be read at all Committee meetings, Full Board meetings and Executive Committee meetings.

1-18-07

The State Government Ethics Act

The State Government Ethics Act requires the Chair of the Board of Trustees, at the beginning of any meeting of the board, to remind all members of the Board of their duty to avoid conflicts of interest and appearances of conflict under this Act. The Chair is also required to inquire of board members whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the board at that time.

For purposes of this requirement, the following language may be used by the Chair to meet this requirement:

“As Chair of the _____, it is my responsibility to remind all members of the _____ of their duty under the State Government Ethics Act to avoid conflicts of interest and appearances of conflict of interest as required by this Act. Each member has received the agenda and related information for this _____ meeting. If any board member knows of any conflict of interest or appearance of conflict with respect to any matter coming before the board of trustees at this meeting, the conflict or appearance of conflict should be identified at this time. “

Note: If a conflict is identified, the member who has the conflict should recuse himself or herself from any discussion or consideration of the agenda item. Recusal means not participating in any discussion or consideration of the agenda item at a minimum and, possibly in some cases, leaving the meeting. The Chair should see that this occurs before any discussion of the item presenting the conflict or appearance of conflict takes place. If the trustee is uncertain about the conflict, the trustee should so indicate and the presiding officer, in consultation with legal counsel, if necessary, shall then determine the extent to which the trustee will be permitted to participate. If the affected trustee is the Chair, the Vice Chair makes this determination. (In most cases, conflicts will be able to be identified early and discussed with the Chair and legal counsel between the time the trustee receives the agenda and the day of the board or committee meeting.)