



New Jersey Creative Arts Collaborative

Conflict of Interest Policy

A conflict of interest is defined as an actual or perceived interest by a staff or Board member in an action that results in, or has the appearance of resulting in, personal, organizational, or professional gain. Officers, staff and members of The New Jersey Creative Arts Collaborative (NJCAC) are obligated to always act in the best interest of the organization. This obligation requires that any officer, staff, board and committee members, in the performance of organization duties, seek only the furtherance of The New Jersey Creative Arts Collaborative's mission. At all times, officers, staff, Board and committee members are prohibited from using their job title or the organization's name or property, for private profit or benefit. This policy is intended to supplement but not replace any applicable state or federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

- A. The officers and members of the organization should neither solicit nor accept gratuities, favors, or anything of monetary value from contractors/vendors. This is not intended to preclude bona-fide organization fund raising-activities.
- B. No officer, or member of the organization shall participate in the selection, award, or administration of a purchase or contract with a vendor where, to his knowledge, any of the following has a financial interest in that purchase or contract:
 - 1. The officer or member;
 - 2. Any member of their immediate family;
 - 3. Their partner;
 - 4. An organization in which any of the above is an officer, director or employee;
 - 5. A person or organization with whom any of the above individuals is negotiating or has an arrangement concerning prospective employment.
- C. **Disclosure:** Any possible conflict of interest shall be disclosed by the person or persons concerned. If the Board has reasonable cause to believe a staff, Board or committee member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis of such belief and afford the member an opportunity to explain the alleged failure to disclose. If after, hearing the member's response, and after conducting further investigation as warranted by the circumstances, the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.
- D. **Board Action:** When a conflict of interest is relevant to a matter requiring action by the Board, the interested person(s) shall call it to the attention of the Board and said person(s) shall not vote on the matter. In addition, the person(s) shall not participate in the final decision or related deliberation regarding the matter under consideration. When there is a doubt as to whether a conflict exists, the matter shall be resolved by vote of the Board of Trustees, excluding the person(s) concerning whose situation the doubt has arisen.



E. **Record of Conflict:** The official minutes of the Board shall reflect that conflict of interest was disclosed and the interested person(s) did not participate in the final discussion or vote and did not vote on the matter. Specific details include:

1. The name(s) of the person(s) who disclosed or otherwise found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing's Board decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

F. **Annual Acknowledgment:** Each director, officer, Board and committee member with governing board delegated powers shall annually sign a statement of acknowledgement which affirms such person:

1. Has received a copy of the conflict of interest policy,
2. Has read and understands the policy,
3. Has agreed to comply with the policy; and
4. Understands the organization is charitable and in order for NJAC to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Certificate of Adoption of Conflict of Interest Policy

I do hereby certify that the above stated Conflict of Interest Policy and Agreement for The News Jersey Creative Arts Collaborative were approved and adopted by the board of directors on _____, 2019 and constitute a complete copy of the Conflict of Interest Policy of the organization.

Secretary, Gwen Ricks-Spencer

Date: _____