Conflict of Interest Procedures Checklist
4/4/17

The following Conflict of Interest (COI) Procedures provides guidance for the Chair/Co-Chair(s) of the Council and Council Committees related to COI. The information provided is excerpted from the Council Bylaws, as well as, best practices when dealing with COI.

Annual Disclosures

- All voting members will make a full, written disclosure to a Co-Chair of interests, relationships, and investments that could potentially result in a conflict of interest
- This written disclosure will be kept on file and be updated annually or whenever a change in status occurs and presented as a matrix at every meeting.
- If it is not clear whether a Conflict of Interest (COI) exists, then the voting member will disclose the circumstances to a Co-Chair to determine whether there exists a COI.
- Members will be provided with the Council's mission statement to remind them of the purpose of their work

Meeting Discussions

- A matrix of members and their conflicts of interest and the Conflict of Interest Policy and Procedures Checklist will be provided to the Chair(s) at every meeting.
- Members are required to disclose COI to staff or co-chair any time decision-making involves an entity or situation in which the member has a real or perceived conflict of interest.
- Meeting facilitators [Council and Committee (Co-)Chair(s)] shall ensure that ample discussion happens before a motion is made so that subject experts have the opportunity to contribute to the discussion.
- Members in conflict will not participate in the debate once a motion has been made and will step out of the room during a vote that impacts their specific service areas.
- Members must not attempt to influence the Council or Committee's action, either at or outside the meeting.
- There is no conflict of interest when voting for an entire allocations plan. However, Members in conflict shall <u>not</u> vote on a specific service area reallocation or standards for which they provide services or serve on the board of agencies that provide these services.
- A (Co-)Chair with support from the Parliamentarian and Council Staff should assess any conflicts of interest or potential conflicts of interest in a Council or Committee meeting.

Quorum

- A quorum must be present at any scheduled Council or committee meeting in order for the Council to engage in formal decision-making. A quorum is defined as one-third plus one of the seated membership for the Council or the Committee.
- Members may participate by teleconference or other electronic means as long as such members can hear and be heard. A member participating by such means shall count toward the presence of a quorum.

Voting

- A voting member who knows he or she has a COI on an issue may not vote on that issue.
- Council or Committee (Co-)Chairs will announce upcoming votes in agendas, and a voting member who knows he or she has a COI must disclose that they have a conflict.

- Voting members are encouraged to contact a Co-Chair to disclose, but may also disclose during the meeting (they may choose not to identify the specifics of the COI). The disclosure must be reflected in the minutes of the meeting.

Roles

- Chair/Co-Chair
    - Determine if a quorum is present: one third of total council or committee members plus one
      Once a quorum has been achieved, decision-making can occur at the meeting regardless of who leaves the meeting or does not participate in a vote due to COI.
    - Review Conflict of Interest Matrix and Meeting Agenda to determine who might be in COI for any agenda items and discuss (ideally privately) with the member to determine how the situation will be handled.
    - For agenda items where a member is in COI, offer discussion time before any motion is made so that the member in COI may provide information to the group and respond to questions as a subject matter expert.
    - Once a motion has been made, ask all members who may be in COI to leave the room during debate and vote on the motion. Ask them to return to the meeting once the vote is taken.

- Parliamentarian
    - Identify a COI by reviewing the agenda sent out prior to the meeting
    - Draft a meeting Script for the Chair/Co-Chair and identify COIs
    - Monitor the By-Laws to insure that the Chair/Co-Chair is in compliance.
    - Provide guidance and advice to the Chair/Co-Chair around Robert's Rules of Order, particularly around making a motion, discussion, and voting.

- Council Staff
    - Review meeting script sent by Parliamentarian and identify any additional conflicts of interest
    - Prior to the meeting, notify any voting member of an action item where they are in conflict of interest and discuss process to follow
    - Provide advice and support to the Chair/Co-Chair and Parliamentarian as needed.