



## ORGANIZATIONAL FINANCIAL CONFLICTS OF INTEREST

This policy promotes objectivity in research and other sponsored activities by defining standards of conduct appropriate for each Equality Ohio Education Fund (EOEF) employee or contractor participating in a sponsored project as required by Uniform Guidance. The intent is to ensure that sponsored research activities are neither compromised nor appear to be compromised by any other interest of the responsible EOEF employee or contractor.

### **Policy**

All research and sponsored projects undertaken at EOEF shall be conducted in full compliance with Uniform Guidance and EOEF policy. A conflict of interest or commitment exists when the IO determines that a Significant Financial Interest (SFI) could directly or indirectly affect the design, conduct, or reporting of funded research, teaching, or mentoring. EOEF will ensure this policy is posted in a publicly accessible area of the EOEF website, manage the disclosure and management processes, impose this policy on subrecipients, retain records and follow reporting requirements. EOEF is responsible for ensuring implementation of this policy, reviewing disclosures to determine if an FCOI exists, and managing any potential conflict. EOEF may suspend all relevant activities until they are satisfied that the potential FCOI is resolved, or other appropriate action is implemented.

**Disclosures:** Each Investigator must disclose information requested for themselves and their spouse, domestic partner, and/or dependent children to EOEF in the required format (attached). Disclosures must be current at the time of application for funding and subsequently completed at the following times: 1. prior to proposal submission. 2. annually for Investigators with active grants, commensurate with the funded project period. 3. within 30 days of acquiring or discovering any new reportable significant financial interests

**Review:** EOEF will review and make an initial determination on all submitted disclosures. When the disclosure is made at the time of the proposal, any identified potential conflicts will be noted and revisited at the time of award. If EOEF determines there is potential for a conflict of interest at any point, the disclosure will be turned over to the Executive Director or their designee for review. If an FCOI is identified, the Investigator will be informed how the determination was made and the FCOI's relationship to the sponsored research will be documented and shared with the sponsor as required.

**Adopted 2.6.2023**



## **CONFLICT OF INTEREST POLICY EQUALITY OHIO AND EQUALITY OHIO EDUCATION FUND ADOPTED 6/26/2014**

### **1. PURPOSE OF THIS POLICY**

This Conflict of Interest Policy governs the activities of the board members and employees of Equality Ohio and the Equality Ohio Education Fund (hereafter collectively referred to as "EO"). Board members and employees have a fiduciary duty to always act in the best interests of EO. Accordingly, it is the duty of all board members and employees to be aware of this policy, to identify conflicts of interest or potential conflicts or other situations that may result in the appearance of a conflict, and to disclose those conflicts, potential conflicts or other situations to the Executive Director, the Chair of the Board, or, for employees, to their immediate supervisor or other designated person, as appropriate. This policy provides guidelines for identifying conflicts and disclosing conflicts and sets out procedures to assist EO in managing conflicts of interest and situations that may result in the appearance of a conflict.

The purpose of this policy is to protect EO's interests when it is contemplating entering into a transaction or arrangement that might benefit or affect the personal interests of a board member or employee.

This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

Questions about this policy should be directed to the Executive Director or Chair of the Board.

This policy shall be reviewed annually by each board member and employee. Any changes to this policy shall be communicated to all board members and employees promptly after changes are made.

### **2. WHAT IS A CONFLICT OF INTEREST?**

A conflict of interest arises when the self-interest of a board member or employee might be in conflict with the interests of EO or arises in situations where a board member or employee has divided loyalties. A common, but not exclusive, example of a conflict of interest may arise when a board member or employee is directly or indirectly involved in a business or organization that enters or proposes to enter into a transaction or arrangement with EO or EO's related entities. Other examples of conflicts or potential conflicts include, but are not limited to, the following:

- Example #1: a person in a position of authority over EO may benefit financially from a transaction between EO and the board/staff member; or others closely associated with the board/staff member may be affected financially. Family members, or their businesses, or other persons or the businesses of persons with whom the board/staff member is closely associated, could benefit from similar transactions.
- Example #2: A conflict of interest could be a direct or indirect financial interest such as those described above, or a personal interest such as the situation where a board member of EO is also a board member of another nonprofit or for-profit entity in the community with which EO collaborates or conducts business.

### **3. WHO MIGHT BE AFFECTED BY THIS POLICY?**

Typically persons who are affected by a conflict of interest policy are EO's board members, officers, and employees. In some cases a major donor could also be in a conflict situation. EO takes a broad view of conflicts such that board members and employees are urged to think of how a situation/transaction would appear to outside parties when identifying conflicts or possible conflicts of interest.



#### **4. DISCLOSURE OF CONFLICTS**

Board members and employees will annually complete a disclosure form that identifies any relationships, positions or circumstances in which they are involved that could contribute to a conflict of interest. Such disclosures might include service as a director or consultant to another nonprofit organization, the employment or business interests of the disclosing party or their family members, or ownership of a business that might provide goods or services to EO.

In addition to completing the annual disclosure form described above, Board members and employees are expected to disclose conflicts as they arise as well as to disclose any evolving situation that may result in a conflict of interest. Advance disclosure must occur so that a determination may be made for the appropriate plan of action to manage the conflict. Employees should make such disclosures to their immediate supervisor or the Executive Director and board members should make such disclosures to the Chair of the board or the Executive Director. Such disclosures should be made as soon as the employee or board member is aware that a conflict or potential conflict or appearance of a conflict exists. The broadest disclosure possible is advisable so that informed decisions can be made in the best interests of EO.

#### **5. PROCEDURES TO MANAGE CONFLICTS**

For each disclosed conflict or potential conflict, the Executive Director or the Chair of the board, as appropriate, will determine whether EO and/or the affected board member or employee should: (a) take no action or (b) disclose the situation more broadly and invite discussion/resolution by the full board on what action to take, or (c) take steps to avoid the conflict.

- When the conflict involves a decision-maker, the person with the conflict: (i) must fully disclose the conflict to all other decision-makers; and (ii) 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 decisions.
- In all cases, decisions involving a conflict will be made only by disinterested persons
- Management and outcome of conflicts shall be documented. For conflicts related to board members, management of the conflict and the outcome will be documented in the board's minutes. For conflicts relating to employees, management of the conflict and the outcome will be reported by the Executive Director to the Chair of the board or to the Chair of the appropriate committee of the board.
- The Executive Director and Chair of the board will monitor proposed or ongoing transactions of EOE (e.g., contracts with vendors and collaborations with third parties) for potential conflicts of interest and disclose them to the board members and employees, as appropriate, whether discovered before or after the transaction has occurred.



**ANNUAL DISCLOSURE FORM FOR BOARD MEMBERS AND EMPLOYEES**

(Pursuant to the Conflict of Interest Policy of Equality Ohio and the Equality Ohio Education Fund)

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position (board member, employee, other): \_\_\_\_\_

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

\_\_\_\_\_ I have no conflict of interest to report

\_\_\_\_\_ I have the following interests to report. [Please include, for example, (a) other nonprofit and for-profit boards on which you (or your spouse or partner, or other immediate family member) serve, (b) any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder; (c) the name of your employer(s) and your spouse/partner's employer; and (d) any businesses you or a family member own. Attach additional pages as necessary for a complete response.]

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

I hereby certify that the information set forth in response to this form is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Conflict of Interest Policy of Equality Ohio and the Equality Ohio Education Fund.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_