

Have A Gay Day Non-Disclosure Questionnaire and Policy

CONFLICT OF INTEREST POLICY & DISCLOSURE QUESTIONNAIRE

Applicable to the Have A Gay Day Board of Directors and Volunteers

Conflict of Interest Policy

For purposes of this policy and disclosure questionnaire, the following definitions apply:

“Affiliated persons” of a board member or key volunteer include the following:

1. Any immediate family member. This includes a domestic partner or spouse, parents, children (including of a domestic partner or spouse), siblings (whether whole or half-blood), grandchildren, great-grandchildren and domestic partners or spouses of parents, brothers, sisters, children, grandchildren and great grandchildren.
2. Any corporation or organization of which the board member or volunteer is a partner or is, directly or indirectly, the beneficial owner of 10% or more of the corporation or organization;
3. Any trust or other estate in which the board member or key employee has a substantial beneficial interest or as to which s/he serves as a trustee or in a similar capacity.

“Key Volunteer” shall include every member of the Executive Team, Board Directors, Executive Director, Deputy Director, Finance Manager, Program Managers.

“Financial interest” shall include any ownership or investment interest in or compensation arrangement with, or potential ownership or investment interest in or compensation arrangement with, any entity or individual with which the Center has a transaction or arrangement or is negotiating a transaction or arrangement.

In the case of key volunteer, **“financial interest”, “financial gain” or “personal profit”** excludes any salary they may receive from the Have A Gay Day.

1. Board members and key volunteers of Have A Gay Day “the organization” owe a duty of loyalty to the organization and must strive to avoid actual conflicts of interest as well as the appearance of any conflicts of interest. This Conflict of Interest Policy is designed to protect the organizations interest when it is contemplating entering into a transaction or arrangement that might benefit the private interests (direct or indirect) of an officer, director or key employee of the organization.
2. Any fundraising activities that I am involved in other than for the benefit of the organization must be provided in writing to the Executive Board for their review and approval.
3. No board member or affiliated persons shall derive any personal profit or financial gain, directly or indirectly, from the organization or by reason of his or her association with the organization unless such gain is disclosed in writing to and approved by the Board of Directors in advance.
4. No key volunteer or affiliated persons shall derive any personal profit or financial gain when such profit or gain is by reason of his or her association with the organization unless such profit or gain is disclosed in writing to and approved by the Executive Director in advance.
5. No board member or key volunteer may participate in any decision making process that involves contracts or other financial arrangements between the organization and any entity in which the board member or key volunteer or any of their affiliated persons has a financial interest.

6. Each individual board member of key volunteer shall disclose any and all interest which s/he or her/his /they affiliated person may have in any matter(s). Disclosure by board members and the Executive Director. shall be made in advance in writing to the Board of Directors and disclosure by key volunteer shall be made in advance in writing to the Executive Director. Disclosure by board members or the Executive Director shall be reported to the board at the first board meeting following such disclosure and shall be reflected in the minutes of that board meeting. Disclosure by key volunteers other than the Executive Director shall be reflected in a memorandum for the record written by the Executive Director and copied to the Board of Directors.
7. Board members and key volunteers shall not request, obtain or use any list of organizations clients or supporters for solicitation purposes of any kind (whether business or personal) at any time during or after the term of their affiliation, i.e., this prohibition survives organization affiliation.
8. Board members and key volunteers shall fully comply with the provisions of all applicable laws and regulations governing their service as board members and key employees.
9. Post-disclosure process. When disclosures are made pursuant to paragraph 5 above, the Board itself (or in the case of key volunteers, to the Executive Director) shall, after exercising due diligence, determine whether an actual conflict of interest exists. If it is determined that conflict does exist, appropriate action shall be taken to eliminate the conflict of interest. This may include exercising due diligence to ascertain whether a more advantageous transaction or arrangement could be secure with a person or entity that would not give rise to a conflict of interest. If this is not reasonably possible, the Board of Directors (or in the case of key volunteers, the Executive Director) shall determine (by a majority vote of the disinterested directors) whether the transaction or arrangement is in the organizations best interest, for its own benefit and whether it is fair and reasonable. In conformity therewith, the board (or in the case of key volunteers, the Executive Director) shall decide whether to enter into the transaction or arrangement. In the event that it is determined that a board member or key volunteer, has failed to properly disclose a conflict of interest, appropriate disciplinary and corrective action must be taken. All of these deliberations and determinations shall be reflected in the minutes and/or the memorandum for the record, as provided in paragraph 5.
10. To ensure compliance with this policy, board members and key volunteers shall read and sign this Conflict of Interest Policy and accompanying Disclosure Questionnaire within thirty days of assuming a board or key volunteer position and annually thereafter no later than January 31st of each new calendar year. Board members and key volunteers are required to immediately disclose any updates to the Conflict of Interest Disclosure Questionnaire that occur between annual completion of that questionnaire and execution of this policy document.

CONFLICT OF INTEREST DISCLOSURE QUESTIONNAIRE

If additional space is necessary to fully describe the details of your answer to any question, please provide such explanation via an attachment.

1. In the past year, have you or any of your affiliated persons provided services or property to Have A Gay Day ("the organization") for which compensation was received?
 yes no

In the past year, have you or any of your affiliated persons purchased services or property from the organization (excluding purchased made in connection with fundraising events such as silent or live auction items)?
 yes no

In the past year, have you or any of your affiliated persons derived any personal profit or financial gain by reason of your association with the organization?

() yes () no

If you answered yes to any of the above questions, please describe the nature of the services or property provided and/or purchased and the amount of compensation and/or purchase price and/or the nature of the personal profit or financial gain you received and from whom:

2. Please indicate whether you or any of your affiliated persons had, have or will have any direct or indirect interest in any business transaction(s) in the past calendar year or in the current calendar year to which the organization was, is or will be a party.

() yes () no

If yes, please describe the transaction(s) and the date(s) they did or will occur:

3. Did you or any of your affiliated persons have a direct or indirect business relationship with the organization (including through ownership of more than 10% in another entity doing business with the organization, whether such ownership is individual or collective with other organization officers, directors and/or key employees and former officers, directors and/or key employees?

() yes () no

If yes, please describe the relationship(s), including names of the entity and other current or former organization officers, directors and/or key employees involved. Also, please state the percentage ownership held by you and/or your affiliated persons, or other Center officers, directors and/or key employees and former officers, directors and/or key employees, individually or collectively:

4. Were you or any of your affiliated persons indebted to pay money to the organization at any time during the past calendar year (other than, for example, travel advances)?

() yes () no

NOTE: charitable pledges are not considered indebtedness for purposes of this questionnaire.

If yes, please describe the indebtedness:

5. Did you have a family relationship or a business relationship with any other officer, director, and trustee or key organization ?

() yes () no

NOTE: For purposes of this question, a "business relationship" does not include a relationship between an attorney and client, a medical professional and patient or a priest/clergy and penitent/communicant.

If yes, please identify the name(s) of the individual(s) and the nature of the family or business relationship:

6. Have you served as an officer, director, trustee, key volunteer, partner or member of an entity (or shareholder of a professional corporation) doing business with the organization?

() yes () no

If yes, please name the entity and describe your role:

7. In the past year, did you or any of your affiliated persons receive, or become entitled to receive, directly or indirectly, any benefits from or as a result of your relationship with the organization that in the aggregate would be valued in excess of \$100 (in the case of key volunteers this excludes salary and benefits paid directly by the organization)?

() yes () no

If yes, please describe the value and nature of the benefits received or accrued:

8. Are you or any of your affiliated persons a party to or have an interest in any pending legal proceeding involving the organization?

() yes () no

If yes, please describe the proceeding(s):

9. Are you aware of any other events, transactions, arrangements or other situations that might constitute a real or apparent conflict of interest on your part or that of your affiliated persons or that you believe should be examined by the organizations board or Executive Director in accordance with the terms and intent of the organizations conflict of interest policy?

() yes () no

If yes, please describe the events, transactions, arrangements and/or situations:

I hereby confirm that I have read and understand and agree to comply with the organizations Conflict of Interest Policy and that my responses to the Conflict of Interest Disclosure Questionnaire are complete and correct to the best of my knowledge and belief. I further confirm that in the event I become aware of any actual or apparent conflict of interest involving myself or any of my affiliated persons that I will immediately disclose the details of such situation to the Executive Board or Executive Director, as appropriate.

Signature: _____ Date _____

Printed name: _____

_____ Board Member

_____ Volunteer / Employee: Position: _____

Revised and adopted by the Board _____