



**Conflict of Interest Policy
For HETL Association Board of Directors
Approved on November 6, 2011**

Definition and Scope

HETL defines a conflict of interest as any situation in which a person has a purely personal interest that substantially conflicts with the main organizational interests of HETL. A substantial conflict is one in which one's personal interest unduly influences the objective exercise of his/her official duties on the Board of Directors. This conflict of interest policy shall apply to all HETL Board of Director members. Consistent with federal, state, or local laws that govern conflicts of interest for nonprofit organizations, a personal or financial interest, in and of itself, does not automatically create a conflict of interest. A Board member who has a personal or financial interest may have a conflict of interest only if the Board of Directors deems that such a conflict of interest exists.

Purpose Policy Statement

When one is presented with a conflict of interest while in the course of his/her duty as a Board member, he/she is expected to make such decisions that further the best interests of the organization (HETL). Hence, any actions that conflict with the best interests of HETL are discouraged. Examples include, but are not limited to, unauthorized use of HETL resources for personal benefit and unauthorized disclosure of confidential HETL information. This policy is intended to supplement and not replace any federal, state, or local laws that govern conflicts of interest for nonprofit organizations. This policy is also intended to supplement any ethics policies that govern HETL. This policy also aims to protect Board members from inadvertently or unknowingly violating conflict of interest laws.

Duty to Disclose

If a Board member believes he/she is confronted with a conflict of interest and is unsure how to resolve the conflict, he/she has a fiduciary duty to disclose the facts of the situation with the Board. The Board, after looking at the facts of the case, shall decide whether or not a conflict of interest exists.

Duty to Recuse

This conflict of interest policy prohibits a Board member from deciding on matters that may create a conflict between his/her personal or financial interests and the organization's interest. In such cases, the Board member should recuse him/herself from such decisions before the Board.



Determination

The Board of Directors shall determine what constitutes a conflict of interest and the Board shall determine whether or not someone has violated this policy. The determination shall be made by a consensus of the Board. If a consensus cannot be reached, 7 out of 13 votes of the Board shall be required to determine whether or not a violation exists. If the Board determines a violation exists, they shall determine how to treat the violation in accordance with the HETL Constitution and generally accepted professional standards as determined by the Board.