



NORTH CAROLINA SCHOOL OF
SCIENCE AND MATHEMATICS

Title	IDENTIFYING CONFLICTS OF INTEREST UNDER THE STATE GOVERNMENT ETHICS ACT
Authority	Chancellor
History	Effective July 1, 2007
Legal Reference	GS 138A-15,36
Additional References	
Responsible Offices	Chancellor
Classification	2120

The State Government Ethics Act requires the Chair of the Board of Trustees, at the beginning of any meeting of the board, to remind all members of the Board of their duty to avoid actual and potential conflicts of interest and appearances of conflict under this Act. The Chair is also required to inquire of board members whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the board at that time. At NCSSM, most business of the Board comes up through its committees, therefore the committee chairs will follow this practice at the beginning of each committee meeting.

For purposes of this requirement, the following language may be used by the Chair to meet this requirement:

“As Chair of the [committee name or Board of Trustees], it is my responsibility to remind all members of the Board of their duty under the State Government Ethics Act to avoid actual and potential conflicts of interest and appearances of conflict of interest as required by this Act. Each member has received the agenda and related information for this Board of Trustees meeting. If any board member knows of any conflict of interest or appearance of conflict with respect to any matter coming before the Board of Trustees at this meeting, the known conflict or appearance of conflict should be identified at this time.”

Recommended Procedure:

1. In most cases, a trustee will identify potential conflicts between the time the trustee receives the agenda and the day of the board or committee meeting. Trustees should bring potential conflicts to the attention of the committee chair or Board Chair for early discussion.
2. If a conflict is identified, the trustee who has the conflict should recuse himself or herself from any discussion or consideration of the agenda item. Recusal means leaving the room and not participating in any discussion or consideration of the agenda item. The committee chair or Board Chair should see that this occurs before any discussion of the item presenting the conflict or appearance of conflict takes place.
3. If the trustee is uncertain about the conflict, the trustee should so indicate and the presiding officer, in consultation with legal counsel, if necessary, shall then determine the extent to which the trustee will be permitted to participate. If the affected trustee is the Chair of the Board, the Vice Chair makes this determination. If the affected trustee is a committee chair, the Chair of the Board makes this determination.