



WESTERN WASHINGTON UNIVERSITY BOARD OF TRUSTEES CONFLICT OF INTEREST POLICY

Policy

The members of the Board of Trustees, as well as all Western Washington University faculty and staff, hold positions of public trust and should adhere to the highest ethical standards in carrying out their duties to the University. These standards include maintaining objectivity and independent judgment to ensure that all actions are taken in the best interests of the University and avoiding activities that could impair the public's trust in the institution.

Purpose

This policy protects the interests of the University by providing guidance to the Trustees in recognizing and handling conflicts of interest and meeting their obligations under the Washington State Ethics in Public Service Act ([RCW 42.52](#)). The Ethics Act prohibits state officers and employees from having an interest, financial or otherwise, direct or indirect, or engaging in a business or transaction or professional activity, or incurring an obligation of any nature, that is in conflict with the state officer's or employee's duties. ([RCW 42.52.020](#)) In addition to these statutory obligations, members of the Board of Trustees have fiduciary responsibilities to the University, which require them to avoid conflicts of interest and exercise their authority solely on the basis of promoting the best interests of the institution and the public good.

Definition of Conflict of Interest

A conflict of interest is a personal interest, financial, familial, professional, or otherwise, that might impair or reasonably appear to an objective, outside observer to impair, a Trustee's independent, unbiased judgment in the discharge of his or her responsibilities to the University. For purposes of this policy, the Student Trustee shall not be deemed to have a conflict of interest for purposes of participation in or voting on matters of general interest to Western Washington University students.

Trustee Obligations

1. Public Disclosure and Affirmation

- A. Public Disclosure.** Under the Washington Public Disclosure Act, [Chapter 42.17 RCW](#), Trustees are required annually to file a Personal Financial Interest Statement with the Public Disclosure Commission. See [RCW 42.17A.700](#).
- B. Record of Affirmation.** Trustees should annually complete an affirmation disclosure form specific to the University, appended to this policy. The completed forms will be retained in the Office of the President.

2. Financial transactions involving the University where a Trustee may have a beneficial interest

In the event the Board of Trustees is called upon to consider a transaction in which a Trustee has a beneficial interest, such Trustee shall, pursuant to the Ethics in Public Service Act, [Chapter 42.52 RCW](#):

- Disclose fully the precise nature of their interest in such transaction; and
- Refrain from participation in the Board's consideration of the proposed transaction.

State law defines what constitutes a "transaction involving" the University and a "beneficial interest" in such a transaction. See [RCW 42.52.010](#).

Members of the Board of Trustees should also act in accordance with [RCW 42.52.020](#) which states that state officers and employees may not "have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties."

3. Other matters

All trustees should be sensitive to matters that could involve a conflict of interest. If a Trustee becomes aware of any personal, financial, familial, or professional relationship that could give rise to a conflict of interest with respect to a particular matter, the Trustee shall promptly disclose the relationship to the Chair of the Board of Trustees, (or Vice Chair, if the Chair is unavailable or is the Trustee with the possible conflict). In turn, legal counsel may be consulted. The Chair (or Vice Chair, if applicable) makes the final decision regarding whether a conflict of interest exists. A recess may be taken if needed to address an issue arising during a Board of Trustees meeting.

4. Recusal

Trustees should err on the side of caution and shall recuse themselves from participating in, discussion, influencing or voting on matters when a conflict of interest exists. The Trustee's recusal (or the decision not to recuse and the basis for that decision) shall be noted on the record. In the event of a recusal, the Trustees presence will not be counted when determining whether there is a quorum for action on that matter.

5. Notification of Trustee Violation

In the event that a Trustee is acting in violation of these standards, the Chair shall be notified of the activity. The Chair shall direct the Trustee to cease the inappropriate activity. If the Chair is acting in violation, the Vice Chair shall be advised of the activity and shall direct the Chair to cease the inappropriate activity. Continued violation of the ethical standards may be a basis for removal of the Trustee or action by the State Executive Ethics Board.

**AFFIRMATION DISCLOSURE FORM FOR
TRUSTEES OF WESTERN WASHINGTON UNIVERSITY**

Please complete the following:

1. Are you aware of any relationships with the University between yourself, a member of your family, friend, associate, or any organization with which you are formally involved that may represent a conflict of interest as defined by the letter or spirit of this policy?

_____ Yes _____ No

If **YES**, please list or elaborate about such relationships and the details of actual or potential financial or other benefit as you can best estimate them.

2. Have you or a member of your family received, during the past 12 months, any gifts or loans from any source from which the University buys goods or services, or otherwise has significant business dealings?

_____ Yes _____ No

If **YES**, please list such loans or gifts, their source, and their approximate value.