

Humboldt State University Advancement Foundation Conflict of Interest Statement

As a matter of public trust, the Humboldt State University Advancement Foundation avoids conflicts of interest. In addition, as a California State University Auxiliary Organization, the Foundation is subject to provisions of the California State Education Code, California State University policies, and its own bylaws and policies regarding conflicts of interest.

Section 6.1 of the California State University Compilation of Policies and Procedures for Auxiliary Organizations refers to the conflict of interest policy contained in the California Education Code, Section 89906 which states that:

“No member of the governing board of an auxiliary organization shall be financially interested in any contract or other transaction entered into by the board of which he is a member, and any contract or transaction entered into in violation of this section is void.”

Humboldt State University Advancement Foundation Bylaws, Article V, Section 9, Conflict of Interest, states that:

“No member of the Board of Directors shall be financially interested in any contract or other transaction entered into by the Board of Directors that is not in accordance with the conflict of interest provisions set forth in Education Code Sections 89906-89909.”

Further, California Education Code Section 89909 states that:

“It is unlawful for any person to utilize any information, not a matter of public record, which is received by him by reason of his membership on the governing board of an auxiliary organization, for personal pecuniary gain, regardless of whether he is or is not a member of the governing board at the time such gain is realized.”

The following relationships and circumstances are specifically prohibited:

- a) Any contract, other than an employment contract, directly between the Foundation and a Director
- b) Any contract between the Foundation and a partnership or unincorporated association in which a Director is a partner, owner, or holder, directly or indirectly, of a proprietorship interest
- c) Any contract between the Foundation and a for-profit corporation in which a Director is the owner or holder, directly or indirectly, of five percent or more of the outstanding equity stock
- d) A Director who is interested in a contract or transaction who influences or attempts to influence another Director to enter into the contract or transaction without first disclosing such interest to the Board of Directors at a public meeting of the board

Members of the Board are required at least annually to acknowledge in writing their acceptance of these requirements and to disclose any potential conflicts of interest.

(reviewed April 23, 2015)