

## **Florida Public Library Conflict of Interest Policy**

### Purpose

The purpose of the Conflict of Interest Policy is to protect the Library's interest when it is contemplating entering into a transaction or agreement that might benefit the private interest of an officer, director or board member or might result in an excess benefit transaction. This policy is intended to supplement, but not replace any state and federal laws governing conflict of interest which are applicable to the Library's nonprofit status.

### Duty to Disclose

No officer, director or board member shall participate in any discussion or vote on any matter in which he or she or a member of his or her immediate family has potential conflict of interest due to having material economic involvement regarding the matter being discussed. When such a situation arises, the interested person must announce his or her potential conflict and be given the opportunity to disclose all material facts. The interested person shall disqualify himself or herself, and be excused from the meeting until the discussion is over and a determination of a conflict of interest has been voted upon by the remaining board members. The President of the meeting is expected to make inquiry if such conflict appears to exist and the interested person has not made it known.

### Determining Whether a Conflict of Interest Exists

After exercising due diligence, the board shall determine whether the organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. If such transaction or arrangement is not reasonably possible, the board shall determine by a majority vote of the disinterested members whether the proposed transaction or arrangement is in the Library's best interest and for its own benefit and should be allowed.

### Addressing and Recording the Conflict of Interest

If the board has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose. If, after hearing the member's response and making further investigation as warranted by the circumstances, the board determines that the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action. All proceedings related to the discussion, disclosure and determination of conflicts of interest shall be recorded in the minutes.

### Periodic Reviews and Annual Statements

To ensure that the Library operates in a manner consistent with its tax-exempt status and this policy, periodic reviews of its compensation arrangements, investments and payments for goods and services shall take place. Each officer, director and board member shall annually sign the following statement:

I have received a copy of the Florida Public Library's Conflict of Interest Policy. I have read, understand and agree to comply with the policy and understand that the Library must engage primarily in activities which accomplish its tax-exempt purposes.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Adopted by the Board of Trustees  
March 9, 2009

