

Pelham Windham Razorbacks - Conflict of Interest Policy

The Pelham Windham Youth Football and Spirit Association (Razorbacks) is a nonprofit, tax exempt organization. Maintenance of its tax-exempt status is important for both its continued financial stability and for public support. Therefore, the IRS, as well as state regulatory and state tax officials view the operation of the Razorbacks as a Public Trust.

Consequently, there exists between the Razorbacks and its board, committee members, coaches and general members and the public a fiduciary duty, which carries with it broad and an unbending duty of loyalty and fidelity. The board has the responsibility of administering the affairs of the Razorbacks, honestly and prudently, and of exercising their best care, skill, and judgment for the sole benefit of the Razorbacks and all the children who participate. The Board, committee members, and coaches shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with the Razorbacks for their personal benefit. The interests of the organization must be the first priority in all decisions and actions.

This statement is directed not only to the directors, but to any appointed committee members and coaching staff.

Conflict of interest may arise in the relations of directors, committee members or coaching staff with any of the following:

1. Persons or firms supplying goods and services to the Razorbacks
2. Persons and firms from whom the Razorbacks lease property or equipment
3. Persons and firms with whom the Razorbacks are dealing or planning to deal with in the connection with gifts, the purchase or sale of property of any kind
4. Competing or affinity organizations
5. Donors or others supporting the Razorbacks
6. Agencies, organizations and associations which affect the operations of the Razorbacks
7. Family members, friends, and other persons who have an interest in appointed positions including board, committee or coaching.

A conflict of Interest may be defined as an interest, direct or indirect, with any persons or firms mentioned in the section above. Such an interest might arise through:

1. Owning stock or other business ownership, or holding debt or other property interests in any third party dealing with the Razorbacks
2. Holding office, serving on the board, participating in the management or otherwise employed or formerly employed with any third party dealing with the Razorbacks
3. Receiving remuneration for the services with respect to individual transactions involving the Razorbacks
4. Using the Razorbacks time, personnel, equipment, supplies, or good will for other than Board approved activities, programs or purposes
5. Receiving personal gifts or loans from third parties dealing with or competing with the Razorbacks. Receipt of any gift is disapproved except gifts of value of less than \$50, which could not be refused without discourtesy. No personal gift of any money should ever be accepted.
6. Accepting gifts from members in excess of \$200 unless said gift is made up of at least ten individual contributors and is intended to say thank you for a season of service.
7. No coach, committee or board member may ever accept a gift or other compensation or award that they believe is intended to influence the playing time, position or status of any participant. No board member or committee member may ever accept a gift, other compensation or award that that they believe is intended to influence the recommendation or selection of a committee member or coach or board member to any position.

The examples listed here of areas of conflict of interest and the relations that may give rise to conflict of interest are not exhaustive. Conflicts may arise in other areas or through other relations. It is assumed that directors, committee members, and coaches will recognize and respect other areas. If there is confusion or question, a director, committee member or coach should first consult the President of the League, who shall then consult the Board in a confidential session. If question further exists, the Board shall seek independent legal counsel on the matter.

The fact that any of the interests described exist does not necessarily mean that a conflict exists or that if a conflict exists, it is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is not necessarily adverse to the interests of the Razorbacks. HOWEVER it shall be the policy of the Razorbacks that if the existence of any of the interests or conflicts that may exist then THEY SHALL BE DISCLOSED to the general membership before any transaction is consummated. It shall be the continuing responsibility of the board, committee members, and coaches to scrutinize their transactions and outside business interests and relationships for potential conflicts and immediately make such disclosures.

Transactions with parties with whom a conflict of interests exists may be undertaken only if ALL of the following are observed:

1. The conflicting interest is fully disclosed
2. The person with the conflict of interest is excluded from the discussion and approval of such transaction.
3. A competitive bid or comparable valuation exists AND
4. The Board has determined that the transaction is in the best interest of the organization.

Disclosure in the organization should be made to the President, or in his absence the Vice President, who shall then bring the matter to the attention of the board. If the President or Vice President is the one with the potential conflict, then disclosure shall be made to a majority of the board in an official meeting.

The Board shall then determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair and reasonable to the Razorbacks. The decision of the Board on these matters will rest in their sole discretion, and their concern must be the welfare of the Razorbacks and the advancement of its purpose.

The Board shall then disclose the potential conflict in a regular meeting of the general membership.