

**SOUTH CENTRAL HUMAN RESOURCE AGENCY
BOARD CONFLICT OF INTEREST CERTIFICATION**

1. To your **knowledge**, do you have a business relationship with any private concerns or individuals which conflicts with, or appears to conflict with the interests of the Agency?
Yes ☐ No ☐
If "Yes" explain:

2. Are you **aware** of any South Central HRA employee, officer, or board member that has a direct or indirect relationship (i.e. family member, partner, etc.) with you?
Yes ☐ No ☐
If "Yes" explain:

3. Are you **aware** of a possible violation of state conflict-of-interest statutes (TCA 12-4-101; attached) as they relate to your responsibilities as a board member of South Central HRA?
Yes ☐ No ☐
If "Yes" explain:

4. Are you aware of any agency officials, directors, or employees involved in obtaining, approving, or overseeing contracts that have any personal interest (direct or indirect) in your organization/company?
Yes ☐ No ☐
If "Yes" explain:

SCHRA Board Member Signature

Date

☐ **12-4-101. Personal interest of officers prohibited.**

(a)(1) It is unlawful for any officer, committee member, director, or other person whose duty it is to vote for, let out, overlook, or in any manner to superintend any work or any contract in which any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall or may be interested, to be directly interested in any such contract. "Directly interested" means any contract with the official personally or with any business in which the official is the sole proprietor, a partner, or the person having the controlling interest. "Controlling interest" includes the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation. The provisions of this subdivision (a)(1) shall not be construed to prohibit any officer, committee person, director, or any person, other than a member of a local governing body of a county or municipality, from voting on the budget, appropriation resolution, or tax rate resolution, or amendments thereto, unless the vote is on a specific amendment to the budget or a specific appropriation or resolution in which such person is directly interested.

(2) (A) The provisions of subdivision (a)(1) shall also apply to a member of the board of directors of any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one (1) or more counties, cities, towns and local governments pursuant to the provisions of title 7, chapter 54 or 58.

(B) The provisions of subdivision (a)(2)(A) do not apply to any county with a metropolitan form of government and having a population of four hundred thousand (400,000) or more, according to the 1980 federal census or any subsequent federal census.

(b) It is unlawful for any officer, committee member, director, or other person whose duty it is to vote for, let out, overlook, or in any manner to superintend any work or any contract in which any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall or may be interested, to be indirectly interested in any such contract unless the officer publicly acknowledges such officer's interest. "Indirectly interested" means any contract in which the officer is interested but not directly so, but includes contracts where the officer is directly interested but is the sole supplier of goods or services in a municipality or county.

(c)(1) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality and whose employment predates the member's initial election or appointment to the governing body of the county or municipality may vote on matters in which the member has a conflict of interest if the member informs the governing body immediately prior to the vote as follows: "Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents." The vote of any such member having a conflict of interest who does not so inform the governing body of such conflict shall be void if challenged in a timely manner. As used in this subdivision (c)(1), "timely manner" means during the same meeting at which the vote was cast and prior to the transaction of any further business by the body.

(2) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality and whose employment began on or after the date on which the member was initially elected or appointed to serve on the governing body of the county or municipality shall not vote on matters in which the member has a conflict of interest.

(3) (A) In the event a member of a local governing body of a county or a municipality has a conflict of interest in a matter to be voted upon by the body, such member may abstain for cause by announcing such to the presiding officer.

(B) Any member of a local governing body of a municipality who abstains from voting for cause on any issue coming to a vote before the body shall not be counted for the purpose of determining a majority vote. The provisions of this subdivision (c)(3)(B) shall in no way be construed to apply to any county having a metropolitan form of government and having a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census.

(d) The provisions of this section shall apply to a member of the board of directors or officer of any nonprofit corporation required under § 8-44-102(b)(1)(E) to conduct all meetings of its governing body as open meetings.

[Acts 1869-1870, ch. 92, § 1; Shan., § 1133; Code 1932, § 1874; Acts 1977, ch. 102, § 1; T.C.A. (orig. ed.), § 12-401; Acts 1983, ch. 388, §§ 4, 6; 1984, ch. 831, § 1; 1986, ch. 765, §§ 1-3; 1988, ch. 908, §§ 4, 5; 1989, ch. 366, §§ 1-3; 1998, ch. 774, § 1; 2006, ch. 923, § 4.]

Conflict of Interest Governing Board Members – Head Start / Early Head Start Act

(C)CONFLICT OF INTEREST- Members of the governing body shall--

(i)not have a financial conflict of interest with the Head Start agency (including any delegateagency);

(ii)not receive compensation for serving on the governing body or for providing services to the Head Startagency;

(iii)not be employed, nor shall members of their immediate family be employed, by the Head Start agency (including any delegate agency);and

(iv)operate as an entity independent of staff employed bythe Head Start agency.

(D)EXCEPTION - If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest described in clause **(ii) or (iii)** of subparagraph (C)--

(i)such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Secretary; and

(ii)if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

Code of Ethics for Board & HS/EHS Policy Council Members

Goal: To establish a set of principles and practices of the South Central Human Resource Agency Governing Board (Board) and Head Start/Early Head Start Policy Council (Policy Council) members that will set parameters and provide guidance and direction for board conduct and decision-making.

Code: Board and Policy Council members of the South Central Human Resource Agency are committed to observing and promoting the highest standards of ethical conduct in the performance of their responsibilities on the board and policy council of South Central Human Resource Agency. Board and policy council members pledge to accept this code as a minimum guideline for ethical conduct and shall:

Accountability

1. Faithfully abide by the ***Articles of Incorporation, By-Laws and Policies & Procedures*** of South Central Human Resource Agency
2. Exercise reasonable care, good faith and due diligence in organizational affairs.
3. Fully disclose, at the earliest opportunity and in writing, information that may result in a perceived or actual conflict of interest.
4. Fully disclose, at the earliest opportunity, information of fact that would have significance in board and/or policy council decision-making.
5. Adhere to ***SCHRA Standards of Conduct*** and ***Confidentiality*** policies.
6. Remain accountable for prudent fiscal management to Agency members, the board, and nonprofit sector, and where applicable, to government and funding bodies.

Professional Excellence

7. Maintain a professional level of courtesy, respect, and objectivity in all South Central Human Resource Agency activities
8. Strive to uphold those practices and assist other South Central Human Resource Agency members of the board and/or policy council in upholding the highest standards of conduct

Personal Gain

9. Exercise the powers invested for the good of all members of the organization rather than for his or her personal benefit, or that of the nonprofit they represent.

Equal Opportunity

10. Ensure the right of all Agency members to appropriate and effective services without discrimination based on geography, political, religious, or socio-economical characteristics of the state or region represented.

11. Ensure all Agency members have access to appropriate and effective services without discrimination based on gender, sexual orientation, national origin, race, religion, age, political affiliation, or disability, regardless of the organization's volunteer or staff composition, and in compliance with all applicable laws and regulations.

Confidential Information

12. Respect the confidentiality of sensitive information & PII (Personal Identifying Information) of all children, families and staff by adhering to the **SCHRA Confidentiality policy**.

Collaboration and Cooperation

13. Respect the diversity of opinions as expressed or acted upon by the South Central Human Resource Agency Governing Board, councils, committees and membership, and formally register dissent as appropriate.
14. Promote collaboration, cooperation, and partnership among agency members.
15. Follow **SCHRA & Head Start/Early Head Start Complaint** procedure with regard to HS/EHS customer complaints.

Member Signature

Date