



ANNUAL CONFLICT OF INTEREST DISCLOSURE FORM 2021-2022

Individuals covered under the policy: HCC Foundation Board of Directors, President, Staff Members, Officers, Managers, and Other Volunteers

All Foundation personnel and Foundation Board members of HCC must review and comply with all conflict of interest provisions in HCC policies, procedures, and regulations.

Name (please print)

Rank/Position at the HCC Foundation

Date

Conflicts of Interest occur when a HCC Foundation Board of Director, Staff Member (Responsible Persons/Interested Person) or immediate family member receive personal financial benefit from the Board of Director's or Staff Member's position in a manner which may inappropriately influence the Board of Director's or Staff Member's judgment or compromise their ability to carry out the Foundation's responsibilities or could be a detriment to the Foundation's integrity.

The Houston Community College Foundation Annual Conflict of Interest Disclosure Form is required to be completed annually by the HCC Foundation Board of Directors and Staff.

CONFLICT OF INTEREST DISCLOSURE

- Do you as a responsible person or does any member of your immediate family have a relationship with any vendor, contractor, or business entity with which the HCC Foundation does business or is likely to do business, for which you have an opportunity to influence a related HCC Foundation decision.
YES ___ NO ___

If "YES," please provide the following information:

ORGANIZATION	POSITION	YOU OR NAME OF FAMILY MEMBER	NATURE OF ORGANIZATION'S BUSINESS
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. Do you as a responsible person or does any member of your immediate family have a financial interest, direct or indirect, in a company, firm or organization which currently has business dealings with the HCC Foundation or which may reasonably be expected to have such business dealings with the HCC Foundation in the coming year?
YES ____ NO ____

If "YES," please provide the following information:

ORGANIZATION	YOU OR NAME OF FAMILY MEMBER	NATURE OF ORGANIZATION'S BUSINESS

3. Do you as a responsible person or does any member of your immediate family have a financial or personal interest in an entity in which the HCC Foundation has a financial or other vested interest?
YES ____ NO ____

If "YES," please provide details below:

4. Have you as a responsible person or has an immediate family member accepted gifts, gratuities, lodging, dining, or entertainment that might reasonably appear to influence your judgment or actions concerning the business of the HCC Foundation?
YES ____ NO ____

If "YES," please provide details below:

5. Do you as a responsible person have any other financial interest or role in a firm or organization, where that financial interest or relationship might reasonably be expected to create an impression or suspicion among the public having knowledge of your acts that you engaged in conduct in violation of your trust as a Board of Director or Staff Member?
YES ____ NO ____

If "YES," please provide details below:

In the event that insufficient space is provided on this form for any disclosure, please add additional pages with reference to the above sections; also indicate the associate section that additional material is attached.

I have read the Houston Community College Foundation's Conflict of Interest Policy approved by the HCC Foundation Board of Directors and understand that as an HCC Foundation Board of Director or Staff Member it is my obligation to act in a manner which promotes the best interest of the Foundation engaging primarily in activities that further its charitable purposes and to avoid any conflicts of interest when making and taking actions on behalf of the HCC Foundation.

Should a possible conflict of interest arise in my responsibilities to the HCC Foundation, I recognize that I, as a Responsible Person, have the obligation to protect the HCC Foundation's best interest as well as the obligation to notify the President of the HCC Foundation, and to abstain from any participation in the matter until the HCC Foundation can determine whether a conflict exists and how that conflict shall be resolved. If any relevant changes occur in my affiliations, duties, or financial circumstances, I recognize that I have a continuing obligation to file an amended "Conflict of Interest Disclosure Form" with the HCC Foundation.

My answers above to this disclosure form are accurate and current statements of all my reportable outside interest and activities, to the best of my knowledge.

SIGNATURE (Full legal name):

DATE:

HCC FOUNDATION PRESIDENT'S ACKNOWLEDGEMENT

Name Karen L. Schmidt Signature _____ Date _____

Acknowledgement by the HCC Foundation's President that they are aware of the apparent or real conflict of interest, and they intend to manage the situation so that:

- The HCC Foundation Board of Director or Staff Member does not have any opportunity to influence the HCC Foundation's business or financial decisions in a way that could lead to personal gain or give improper advantage to a member of the HCC Foundation Board of Director's or Staff Member's immediate family; and
- The Board of Director or Staff Member can objectively fulfill his or her obligations to the HCC Foundation.

DEFINITIONS:

Conflict of Interest:

- (a) IRS definition of Conflict of Interest – A Conflict of Interest arises when a person in a position of authority over an organization, such as an officer, director or manager, may benefit financially from a decision he or she could make in such capacity, including direct benefits such as to family members or businesses with which the person is closely associated.
- (b) A Conflict of Interest is not a question involving a person’s competing or respective duties to the charity and another charity, such as by serving on the boards of two charities that does not involve a financial interest of, or benefit to, such a person.

Responsible Persons/Interested Person – directors, trustees, officers, all employees and others who can influence the actions of a charity.

Financial Interest – A responsible person has a financial interest if the responsible person has, directly or indirectly, through business, investment or family:

- (a) An ownership or investment interested in any entity with which HCCF has a transaction or arrangement;
- (b) A compensation arrangement with HCCF or with any entity or individual with which HCCF has a transaction or arrangement; or
- (c) A potential ownership or investment in, or compensation arrangement with, any entity or individual with which HCCF is negotiating a transaction or arrangement.

Compensation – Includes direct and indirect remuneration, as well as substantial gifts and favors. A gift would be considered “substantial” if it is valued above \$250.00.

Transaction – A business transaction includes, but is not limited to, contracts of sale, leases, licenses, arrangements for the performance of services, and joint ventures in which the interest of the organization and the interested person each exceeds 10%. Membership dues, grants and loans are not considered business transactions.

Business Relationship – A business relationship between two persons includes, but is not limited to, the following types of relationships:

- (a) One person is employed by a sole proprietorship owned by the other person or by an organization of which the other person is a director, trustee, officer, key employee or greater-than-35% owner.
- (b) One person is transacting business with the other, directly or indirectly, in one or more contracts of sale, leases, licenses, loans, service arrangements or other transactions involving transfers of cash or property values in excess of \$10,000 in the aggregate during the year. An indirect transaction is a transaction by one person with an organization of which the other person is a director, trustee, officer, key employee or greater-than-35% owner.
- (c) The two persons are each a director, trustee, officer or greater-than-10% owner in the same business or investment entity.
- (d) A business relationship does not include a transaction between two persons in the ordinary course of either party’s business and on the same terms as generally offered to the public.
- (e) A business relationship also does not include the relationship between attorney and client, medical professional and patient, or priest/clergy and penitent/communicant.

Immediate Family Member – Immediate family members include any interested person’s spouse, domestic partner, ancestors, siblings (whether of the whole or half blood), children (natural or adopted), grandchildren, great grandchildren, and spouses of siblings, children, grandchildren and great grandchildren.

HCC Foundation – Represents the Houston Community College Foundation.