



16201 Gordon Cummings Road | Canyon, TX 79015

806-376-0808 | info@dovecreekequinerescue.org

www.dovecreekequinerescue.org

Conflict of Interest Policy

Article I – Purpose

The purpose of this Conflict of Interest Policy is to protect the interests of Dove Creek Equine Rescue (hereinafter referred to as “DCER”) when it is contemplating entering a transaction or arrangement, which might benefit the private interest of an officer or director of the Corporation. The policy is intended to supplement, but not replace, any applicable federal and state laws which govern conflicts of interest applicable to a non-profit corporation organized under Texas State’s Nonprofit Corporation Act, as amended that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

Article II – Definitions

Directors of DCER, prior to assuming any Board position, shall report to the Chair a list of any and all business and other organizations which the director is a member, owner, director, officer, trustee, employee, agent, etc., which might result in any conflict of interest in future. The Chair will be responsible for decisions regarding resulting conflicts if any should arise.

Article III – Procedures

Any Director, Officer, member representative, committee, chairman, or volunteer coordinator who has direct or indirect financial interest is an interested person.

1. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - a. An ownership or investment interest in any entity with which DCER has a transaction or agreement.
 - b. A compensation arrangement with DCER or with any entity or individual with which DCER has a transaction or arrangement, or
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which DCER is negotiating a transaction or arrangement.
2. Compensation includes direct or indirect remuneration as well as gifts or favors that are not insubstantial.
3. An interested person has a duty to disclose the existence of financial interest and all facts of such financial interest to the Board of Directors (BOD).
4. After the interested person has disclosed all information, he/she shall remove himself/herself from the BOD meeting. The remaining directors will then determine whether or not a conflict of interest exists.



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Article IV – Violations of the Conflict of Interest Policy

If the BOD or committee has reasonable cause to believe that a member has failed to disclose actual or potential 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 response of the member and making further investigation as may be warranted in the circumstances, the board or committee determines that the member has failed in fact to disclose an actual or probable conflict of interest, it shall take appropriate and corrective action.

Article V – Records of Proceedings

The minutes of the Board and all committee with board-delegated powers shall contain the names of the person(s) who disclose or otherwise were found to have financial interest in connection with an actual or possible conflict of interest, the nature of such financial interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest, in fact, existed. The names of the persons who were present for discussion and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

Article VI – Compensation

No Board or committee member is provided with any form of compensation for his or her services.

Article VII – Annual Statements

Each director, principal officer and member of any committee of the Corporation with board-delegated powers shall sign a statement, which affirms that such person:

- a. Has received a copy of the Policy;
- b. Has read and understands the Policy;
- c. Has agreed to comply with the Policy; and
- d. Understands that the Corporation is a charitable organization within the meaning of Section 501 (c)(3) of the Internal Revenue Code and that in order to maintain its federal tax exemption it must engage primarily in activities, which accomplish one or more of its tax-exempt purposes.

Article VIII – Periodic Reviews

To ensure that the Corporation operates in a manner consistent with its tax-exempt purposes and it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic review shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:



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- a. Whether compensation arrangements and benefits, if any, are reasonable based on competent survey information and are the results of arm's length bargaining;
- b. Whether partnership and joint venture arrangements with management organizations conform to written, policies are properly recorded, reflect reasonable payments for goods and services further the Corporation's tax-exempt purposes and do not result in inurement, and impermissible private benefit, or an excess benefit transaction.

Article IX – Use of Outside Experts

In conducting periodic reviews provided for in Article VIII above, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring that periodic reviews are conducted.

By: Laurie Higgins-Kerley, Executive Director/Founder, Dove Creek Equine Rescue

BOARD MEMBER STATEMENT

I certify that I have received a copy of the Conflict of Interest Policy for the Rescue Employee, dated _____, and that neither I nor any member of my immediate family have any personal economic interest that could be construed as opposed to the best interest of the Rescue or in violation of the state Conflict of Interest Policy, other than any exceptions listed below.

(Give full details below or on a separate sheet, if appropriate, concerning any outside interests that you believe require or may require the approval of the Dove Creek Equine Rescue executive. If none, please so state).

Signature of Employee _____

Date _____

**Failure to disclose the required information is a violation of the Policy.*