



**WESTERN**  
NEW MEXICO UNIVERSITY

<b>POLICY NAME</b>	Conflict of Interest – Board of Regents	<b>POLICY NO.</b>	BOR103
<b>APPROVING BODY</b>	Board of Regents	<b>VERSION NO.</b>	01
<b>RESPONSIBLE DEPARTMENT</b>	Board of Regents		
<b>EFFECTIVE DATE</b>	01-JUL-2024	<b>REVIEW/REVISION DATE</b>	12-SEP-2024

**PURPOSE:**

To confirm the commitment of the Western New Mexico University (WNMU) Board of Regents to ensuring transparency and compliance with the State of New Mexico requirements under the Governmental Conduct Act (GCA) and Procurement Code.

**POLICY:**

No WNMU Board of Regents member shall have any direct or indirect financial interest in any contract for building or improving any of WNMU or for the furnishing of supplies or services to WNMU, except as permitted pursuant to the University Research Park Act [Chapter 21, Article 28 NMSA 1978] or unless it complies with provisions of the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978], the Procurement Code [13-1-28 to 13-1-199 NMSA 1978], and the Financial Disclosure Act [10-16A-1 to 10-16A-9].

Under the GCA and this policy, it is unlawful for a public officer to take an official act for the primary purpose of directly enhancing the employee's financial interest or financial position.

Any conflict of interest or probable conflict of interest on the part of any Board of Regents member shall be disclosed to the other members of the Board of Regents and made a matter of record, either by an annual procedure or when the interest becomes a matter of Board of Regents action.

Any Board of Regents member having a conflict of interest on any matter shall not vote or use their personal influence on the matter and shall not be counted in the quorum for the meeting. The minutes of the meeting shall reflect that disclosure was made and the abstention, for voting and quorum purposes.

The foregoing requirements shall not be construed to prevent the Board of Regents from briefly stating their position on the matter nor asking appropriate questions of other Board of Regents members since their knowledge may be of assistance.

All Board of Regents members must file a Financial Disclosure Statement with the New Mexico Secretary of State within 30 days of the appointment and every year in the month of January.

## **DEFINITIONS**

### **BOARD OF REGENTS MEMBERS**

The Board of Regents consists of four members who are qualified electors of the state of New Mexico and one member who is a member of the student body of WNMU [N.M. Constitution, Article XII, Section 13.]

### **CONFLICT OF INTEREST**

A conflict of interest exists when there is a situation in which a Board of Regents member is in a position to derive personal benefit from actions or decisions made in their official act.

### **IMMEDIATE FAMILY**

The spouse, child or stepchild, grandchild, parent or stepparent, sister or stepsister, brother or stepbrother, grandparent, son-in-law or daughter-in-law or brother-in-law, mother-in-law or father-in-law or others who reside in the same household with the employee, or a person who is acting in place of a parent or who is in the care of a person acting in place of a parent.

### **CONFLICT OF INTEREST ACTIVITIES**

Activities which combine the personal and professional interests and the official acts and responsibilities of an employee are generally prohibited under this policy.

### **OFFICIAL ACT**

Official act means an official decision, recommendation, approval, disapproval or other action that involves the use of discretionary authority.