

# The University of Michigan Regents Communication

## Request for Action

### **Subject: Regental Action Required Under the State of Michigan Conflict of Interest Statute**

#### **Action Requested: Authorization for the university to transact with the Independent Film Festival Ypsilanti (University of Michigan Employee, Jennifer Proctor, board member)**

#### **Background:**

The University of Michigan Stamps School of Art & Design seeks approval to transact with the Independent Film Festival Ypsilanti for a sponsorship opportunity.

The proposed transaction falls under the State of Michigan Conflict of Interest Statute, as Jennifer Proctor is employed by the University as an Associate Professor of Journalism and Media Production with the U-M Dearborn Department of Language, Culture and the Arts, and would be a party to the transaction as a board member of the Independent Film Festival Ypsilanti.

However, the Statute allows the university to enter into such contracts if the following conditions are met:

- 1) The public servant promptly discloses any pecuniary interest in the contract to the official body which has power to approve the purchase, which disclosure shall be a matter of record in its official proceedings.
- 2) The purchase is approved by a vote of not less than 2/3 of the full membership of the approving body in open session without the vote of the public servant making the disclosure.
- 3) The official body discloses the following summary information in its official minutes:
  - a) The name of each party involved in the contract.
  - b) The terms of the purchase, including duration, financial consideration between the parties, facilities or services of the public entity included in the purchase, and the nature and degree of assignment of employees of the public entity for fulfillment of the purchase.
  - c) The nature of any pecuniary interest.

The following information is provided in compliance with the statutory requirements contained in Section (3) above:

- a) The parties to the transaction are the Regents of the University of Michigan and Stamps School of Art and Design and the Independent Film Festival Ypsilanti.
- b) The contract is for a three day period at a total cost of \$1,500. Independent Film Festival Ypsilanti will supply the necessary resources and personnel to fulfill this contract. The remaining base contract terms and conditions are typical to those used in Procurement Services standard templates for other similar contracts entered into by the Regents.
- c) The pecuniary interest arises from the fact that University of Michigan employee, Jennifer Proctor, is a board member of Independent Film Festival Ypsilanti.

Jennifer Proctor has met state law requirements with the disclosure of her pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable by the supervisor of Jennifer Proctor under the Stamps School of Art and Design or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

**We recommend** that the Board of Regents approve the transaction between the University of Michigan and the Independent Film Festival Ypsilanti, subject to requirements, if any, that the supervisor of Jennifer Proctor or the Stamps School of Art & Design or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



**Robert A. Hewlett III**  
Interim Executive Vice President  
and Chief Financial Officer

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