

**THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION**

ACTION REQUEST

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

Action Requested: Authorization for the University to transact with Hathaway Family LLC (University of Michigan Employee, Paula T. Hathaway, wife of Will Hathaway, owner).

Background:

The University of Michigan Lloyd Scholars for Writing and the Arts (LSWA) seeks approval to transact with Hathaway Family LLC to rent event space.

The proposed contract falls under the State of Michigan Conflict of Interest Statute, as Paula T. Hathaway is employed by the University as the Director of Graduate Student Affairs and Strategic Initiatives with the College of Literature, Science, and the Arts and would be a party to the contract because she is the wife of one of the partners of Hathaway Family LLC.

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

- a) 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.
- b) 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.
- c) The official body discloses the following summary information in its official minutes:
 - i) The name of each party involved in the contract.
 - ii) 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.
 - iii) The nature of any pecuniary interest.

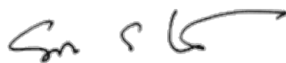
The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and its Lloyd Scholars for Writing and the Arts (LSWA) and Hathaway Family LLC.
- ii) The contract is for renting event space for five days at a total cost of \$2,002. Hathaway Family LLC 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.
- iii) The pecuniary interest arises from the fact that University of Michigan employee, Paula T. Hathaway, is the wife of one of the owners of Hathaway Family LLC.

Paula T. Hathaway 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 Paula T. Hathaway under the Lloyd Scholars for Writing and the Arts (LSWA) or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the contract between the University of Michigan and Hathaway Family LLC, subject to requirements, if any, that the supervisor of Paula T. Hathaway or the Lloyd Scholars for Writing and the Arts (LSWA) or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Geoffrey S. Chatas
Executive Vice President and Chief Financial Officer

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