

**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 SMaRT Workshops LLC (University of Michigan Employees Luke W Hyde, spouse of founder and owner of SMaRT Workshops LLC; Kelley M Kidwell, co-founder and co-owner of SMaRT Workshops LLC)

Background:

The University of Michigan department of LSA Psychology seeks approval to contract with SMaRT Workshops LLC for training workshops.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Luke W. Hyde is a University employee as Professor with LSA Psychology and would be party to the agreement. His spouse, Kelley M. Kidwell is co-founder and co-owner of SMaRT Workshops LLC.

However, the Statute allows the University to enter into such agreements 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.

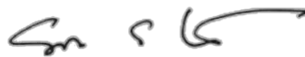
The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and its LSA Psychology and SMaRT Workshops LLC.
- ii) The agreement is for training workshops for the duration beginning July 1, 2024 at a total cost not to exceed \$5,252. SMaRT Workshops LLC will be supplying all 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, Luke W. Hyde, is the spouse of Kelley M. Kidwell the co-founder and co-owner of SMaRT Workshop LLC.

Luke W. Hyde and Kelley M. Kidwell have met state law requirements with the disclosure of their pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable by the supervisor of Luke W. Hyde and Kelley M. Kidwell, under the Medical School's or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the agreement between the University of Michigan and SMaRT Workshops LLC subject to requirements, if any, that the supervisor of Luke W Hyde or the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Geoffrey S. Chatas
Executive Vice President and Chief Financial Officer

September 2024