

**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 enter into a contract with the National Opera Association (University of Michigan Employee, Kirk Severtson, Executive Director).

Background:

The University of Michigan School of Music, Theatre & Dance Voice and Opera department seeks approval to enter into a contract with the National Opera Association for annual membership, entry, and registration fees.

The proposed contract falls under the State of Michigan Conflict of Interest Statute, as Kirk Severtson is employed by the University as a Professor of Music with the School of Music, Theatre & Dance Voice and Opera department, and would be a party to the contract as Executive Director of the National Opera Association.

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 School of Music, Theatre & Dance Voice and Opera department, and the National Opera Association.
- ii) The contract is with the National Opera Association for annual membership fees, as well as entry and registration fees for a three-year period, with a total cost not to exceed \$4,000. The National Opera Association 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, Kirk Severtson, is the executive director of the National Opera Association.

Kirk Severtson has met state law requirements with the disclosure of his pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable by the supervisor of Kirk Severtson under the School of Music, Theatre & Dance Voice and Opera department 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 the National Opera Association, subject to requirements, if any, that the supervisor of Kirk Severtson, the School of Music, Theatre & Dance Voice and Opera department, or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. A. Hewlett III", with a stylized flourish at the end.

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

November 2025