

SECTION: Personnel Policies and Procedures / Conflict of Interest and Ethics
SUBJECT: Conflict of Interest and Ethics Policy and Procedures
SOURCE REFERENCE: Board of Trustees Policy 615.01

NUMBER: F/2.1

Conflict of Interest and Ethics

Conflict of Interest and Ethics: Policy and Procedures

Alabama Community College System Board of Trustees Policy 615.01 specifies:

1. Honesty and professional integrity are expected of all employees. It would be a serious violation of this trust if the interests of any institution under the direction and control of the Alabama Community College System were to be disregarded in the course of performing professional duties. The use of official position and influence to further personal gain or that of families or associates is unacceptable behavior.
2. All employees have the right to acquire and retain status of a professional, personal, or economic nature. In a community as diverse and complex as the institutions that comprise The Alabama Community College System, there is always the possibility that the pursuit of individual interest may result in a conflict with those of the employing institution. This places an important responsibility on faculty and staff to recognize potential conflicts and prevent them. It is not expected that every employee will have a complete and current knowledge of the laws and regulations that apply to conflict of interest. However, all persons, particularly those with significant exposure to potential conflict of interest situations, should develop sensitivity to this issue and seek guidance when appropriate.

Scope of Policy

The above policy applies to all employees of Gadsden State Community College, including part time, and is inclusive of the following provisions:

Definitions

Conflict of Interest

The term "conflict of interest" in this policy refers to situations in which financial or other personal considerations compromise, or has the appearance of compromising, an individual's professional judgment and ability to perform his or her responsibilities to Gadsden State Community College. Employees should not only consider situations that are unacceptable, but should also consider gray areas that might involve the appearance of conflict. The appearance of a conflict can be just as serious and damaging.

Close Relation

A "Close Relation" is defined as a spouse, financial dependent, significant other, or person in an intimate relationship; a child, parent, sibling, in-laws, step-relations, grandparent, grandchild, niece or nephew, aunt, uncle, cousin.

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Substantial Financial Interest

The ownership of an interest of more than 5% in a company is considered a substantial financial interest. However, any ownership or management role in a company, e.g., officer, creates an appearance of conflict equivalent to owning a substantial financial interest.

Conflict of Interest in Employment and Business Practices

Employees must not allow a personal or outside interest to interfere with their duties and responsibilities to Gadsden State Community College. Even the appearance of a conflict of interest should be avoided. Any arrangements or relationships that may pose a conflict should be disclosed.

Although not an all-inclusive list, examples of conflicts of interest that should be disclosed under this policy include:

- a. Conducting business with an individual or entity in which you or your Close Relation have a personal, managerial or substantial financial interest;
- b. Maintaining an external consulting or other business or employment relationship with a supplier, vendor or competitor of Gadsden State Community College which would impair your independence of judgment in the performance of your duties at Gadsden State Community College;
- c. Competing with Gadsden State Community College, or competing with other external vendors for Gadsden State Community College business, whether as an individual, as an employee of another organization, or through a separate entity owned or operated by you or your Close Relation that exists outside of your employment duties with the College;
- d. Directly supervising or evaluating the work of a Close Relation;
- e. Unauthorized use of confidential, privileged or proprietary information obtained in connection with your position, or use of such information for your personal benefit or the personal benefit of another;
- f. Making use of any Gadsden State Community College asset, including the Gadsden State Community College name and trademark, resources, or supplies outside the scope of employment;
- g. Participating in any way in any negotiation or transaction between Gadsden State Community College and a business entity in which you or your Close Relation has a personal, managerial or substantial financial interest;
- h. Participating in any decision, such as decisions concerning initial appointment, retention, termination, promotion, salary, or leave of absence, that involves either a direct benefit or a detriment to a Close Relation;
- i. Soliciting personal gifts or special favors from individuals or entities that provide, or seek to provide, services or supplies to Gadsden State Community College;

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Conflict of Commitment

Employees owe professional loyalty to Gadsden State Community College and shall be alert to the possibility that outside obligations, financial interests, or employment can affect that commitment. Any involvement in personal business ventures shall be conducted outside the work environment and not during times when the employee is required or expected to perform the duties and responsibilities of his or her position.

Faculty and staff must be careful that their work for others does not conflict with their obligations and commitments to Gadsden State Community College. Faculty members who seek to be educators at other institutions concurrent with their holding a full-time position at Gadsden State Community College must seek permission in advance. Full-time faculty and staff may not hold other full-time concurrent positions elsewhere, except as part of an approved leave and/or where advance permission has been granted.

Personal Conflicts of Interests

Faculty or staff should take all reasonable steps to avoid a conflict of interest or the appearance of a conflict of interest in his or her work that could arise from a family or intimate relationship with a Close Relation employed by Gadsden State Community College or with whom Gadsden State Community College has contracted to provide goods or services. In particular, a faculty or staff member shall not participate in any decision that involves either a direct benefit or a detriment to a Close Relation, as defined under this policy.

When in doubt concerning the possibility of a personal conflict of interest, consult your immediate supervisor.

Teaching a close relation could be seen as a conflict of interest; therefore, close relations of instructors may not enroll in their courses. Exceptions require Dean's approval.

Disclosure

If an employee believes or suspects that a conflict of interest may exist, it should be disclosed to the employee's immediate supervisor, who shall then make disclosure to the appropriate Cabinet member.

Remedial Action for Non-Compliance

Failure to disclose conflicts of interest under this policy may be cause for disciplinary action in accordance with the Employee Conduct Code as stated in the Employee Handbook and Alabama Community College System Board of Trustees Policies.

*(Procedure for Managing Potential Conflicts of Interests and forms are included as **Form F/2.1-A.**)*

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I have read, understand, and will fully comply with the Conflict of Interest and Ethics Policy and Procedure.

Employee's Name (print)

Employee's Signature

Date

This policy cannot regulate or eliminate all situations of conflict of interest, but is intended to enable faculty and staff to recognize situations that raise an appearance of impropriety and to ensure that such situations are properly reviewed and resolved. All Gadsden State Community College employees must disclose actual or perceived conflicts so that they can be managed appropriately. Disclosure will not necessarily restrict or preclude an individual's activities. In most cases, problems arise when the conflict is not disclosed, or when it is not assessed or managed.