

Ouachita Baptist University

Conflict of Interest Policy

*Adopted by the Board of Trustees
December 11, 2008*



Ouachita Baptist University Conflict of Interest Policy

The purpose of this policy is to protect the integrity of Ouachita Baptist University, its trustees, faculty and staff from actual or perceived conflicts of interest and to provide a mechanism for managing any real or perceived conflicts.

University trustees, faculty and staff shall refrain from knowingly engaging in any outside matters incompatible with the impartial, objective, and effective performance of their duties. They shall not realize personal gain in any form which would improperly influence the conduct of their University duties. They shall not knowingly use University property, funds, position or power for personal gain. They shall properly disclose any reasonably foreseen potential conflicts.

Conflict of interest arises when a decision-maker on behalf of the University has a monetary or non-monetary interest, direct or indirect, in the outcome of a decision. Indirect interest could come through a family member, business holding or other association with the decision maker. In some instances, conflicts cannot be avoided; however, they should be managed and disclosed. Conflicts can arise through the following:

- Any situation in which the objectivity of the decision-maker has been, could be or could appear to have been impaired.
- Any situation in which a decision-maker places personal interest before institutional interest.
- Any situation in which University resources are or appear to be used for personal gain without adequate compensation to the University.
- Any situation in which a decision-maker receives something of value from an outside business where the business would appear to benefit from the individual's decision on behalf of the institution.

Disclosures

Upon initial adoption of this policy statement, the University will request from trustees, faculty and staff the disclosure of their outside professional activities and other relevant financial interests which could reasonably be expected to create the appearance of a conflict of interest through the *Conflict of Interest Disclosure Form*. Subsequently, an annual update will be requested from all trustees, faculty and staff. All conflicts of interest shall be resolved or managed in ways that are fair to both the individual and the University.

Outside Employment and Business Interests of University Personnel

An employee's outside employment or business activities and interests must not interfere with the employee's regular duties nor represent a conflict of interest.

When it is proposed that the University enter into procurement transactions, contracts for the sale of goods or services, research contracts or grants, or other contracts with private firms or corporations in which a University employee knows he or she has a direct or indirect financial interest, the following procedure shall be followed:

- a. Before the proposed contract, agreement or transaction is executed by the University, the employee must make full disclosure of such financial interest, in writing, and forward the disclosure form to the official having contract approval authority. (See Attachment 1)
- b. If there is a change in the financial interest of an employee during the term of the contract or agreement, the change shall be reported immediately, in writing, and forwarded to the official having contract approval authority.
- c. If the financial interest of the employee in the private firm or corporation is such that it could influence the decision-making process of the private firm or corporation and the employee could also influence the decision-making process of the University in entering into or performing the contract:

(1) The University shall not enter into the contract or shall cancel the contract, if the terms of the contract so permit; or

(2) The University employee shall take such action as is necessary to remove her or him from a relationship with the private firm or corporation which could influence the decision-making process of the private firm or corporation; or

(3) The University shall establish a procedure to remove any opportunity for the employee to influence whether the University enters into the contract or agreement or the terms of the contract or agreement.

Outside Employment of University Personnel

Full-time faculty and full-time exempt personnel may not be concurrently employed full-time with another employer. Full-time employees of the University must have the written approval of the President to engage in regular outside employment. Such approval is obtained by submitting the *Outside Employment Disclosure Form* to the President's Office. Such outside employment is generally acceptable if it is harmonious with the employee's professional and personal obligations to the University and if it does not require an additional work load of more than one-fifth of a normal full-time work load, and if it does not interfere with the schedule for a normal workday or workweek. Written approval may be withdrawn if these conditions fail to be satisfied. Faculty and staff should pursue consulting activities only to the extent that those activities are consistent with their University commitments.

An employee of the University who teaches either credit or non-credit courses not connected with the University may have a conflict of interest. To avoid conflicts of interest an employee must disclose the proposed teaching activity and secure written approval in advance. Approval for such teaching shall be granted unless the proposed teaching is not in the best interests of the University.

Use of Confidential Information

Trustees, faculty and staff shall not use confidential information about the University obtained by reason of their employment with intent to cause financial gain to themselves or unfair advantage for another person.

Use of University Stationery and Logo

Official University stationery may not be used in outside business, personal, and other private or political activities of employees. However, for use in such activities, faculty may have printed at their own expense personal business stationery carrying their academic title, university address and telephone number.

It is a violation of University policy to employ the name of the University or any of its graphic identification symbols in printed materials intended to endorse or promote individual enterprises or to otherwise enhance private gain without the written permission of the University President.