

CONFLICT OF INTEREST AND ETHICS

State Board 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 State Board of Education 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 Beville State Community College (BSCC), full-time and 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 BSCC. 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.

Relative. For the purposes of this policy, Relative includes the following: spouse, dependent, adult child and his or her spouse, parent, spouse’s parents, sibling and his or her spouse, of an Employing Authority.

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 BSCC. 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 Relative 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 BSCC which would impair your independence of judgment in the performance of your duties at BSCC;
- c. Competing with BSCC, or competing with other external vendors for BSCC business, whether as an individual, as an employee of another organization, or through a separate entity owned or operated by you or your Relative that exists outside of your employment duties with the College;
- d. Directly supervising or evaluating the work of a Relative;
- 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 BSCC asset, including the BSCC name and trademark, resources, or supplies outside the scope of employment;
- g. Participating in any way in any negotiation or transaction between BSCC and a business entity in which you or your Relative 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 Relative;
- i. Soliciting personal gifts or special favors from individuals or entities that provide, or seek to provide, services or supplies to BSCC;

Conflict of Commitment

Employees owe professional loyalty to BSCC 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 BSCC. Faculty members who seek to be educators at other institutions concurrent with their holding a full-time position at BSCC must seek permission from the President in advance. All full-time employees holding positions outside of the institution must seek permission from the President 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 relationship with a Relative employed by BSCC or with whom BSCC 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 Relative, as defined under this policy. When in doubt concerning the possibility of a personal conflict of interest, consult the Office of Personnel Services or your immediate supervisor.

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 Office of Personnel Services.

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 State Board Policies 615.02, 205.03, and 205.04.