

AP 137.00 Conflict of Interest

Associated Board Policy: 137.00

Procedure Owner: Vice President of Finance and Administration

Related Procedures: None

I. Procedure Scope and Purpose

The purpose of this procedure is to ensure employees and board members identify and disclose potential conflicts of interest and conduct themselves in a manner that will not compromise the integrity of the College.

II. Definitions

- a. Business Agreement – any agreement, contract, or other business relationship which legal and contractually binds or obligates the College including, but not limited to, purchase agreements for goods or services, property, leases, grant contracts, memorandums or understanding, and commitments.
- b. Conflict of Interest – means any situation where financial or personal considerations compromise an individual’s objectivity, professional judgement, professional integrity or ability to perform responsibilities for the college.
- c. Family member – means a spouse, parent, child, sibling, child, or any other relative or partner who resides in the same household as the employee.
- d. Perceived or Potential Conflict of Interest – occurs when, although there is no actual Conflict of Interest, the circumstances are such that a reasonable person might question whether a decision-maker is biased in carrying out professional responsibilities for the College.

III. Procedure

a. Responsibilities

Employees of the College have an obligation to uphold the public trust, protect and advance the College’s integrity and act in the best interests of the College while carrying out their official College duties.

The following non-exclusive list provides examples of situations that often give rise to an actual, Perceived or Potential Conflict of Interest when an employee:

- Has an ownership interest in an entity with which the College does business;
- Receives significant salary or compensation from an entity with which or individual with whom the College does business;
- Receives significant gifts or individual discounts from an entity with which or individual with whom the College does business, when a reasonable person would infer that the donor’s intent is to influence such employee in the performance of official College duties;

- Is an officer, director, or other key decision-maker for an entity with which the College does business;
- Receives significant commissions or fees as part of an outside business from a customer or client with whom the College does business; or
- Has a Family Member or close personal relationship with someone who fits into one of the categories described above.

b. Disclosure of Interests

Employees shall disclose Perceived or Potential Conflicts of Interest, as well as actual Conflicts of Interest, to their supervisors for review and determination of the appropriate course of action. The supervisor shall require the employee to complete a written disclosure form concerning the employee's involvement in making decisions on behalf of the College. Board of Trustees, Administrators of the College, and all employees responsible for maintaining financial records will be required to submit a Conflict of Interest Form annually. The forms will be maintained by the Human Resources office.

c. Agreements, Contracts and Purchases

College employees shall not knowingly promote or enter into any Business Agreement on behalf of the College when an actual Conflict of Interest or Perceived or Potential Conflict of Interest exists.

d. Gifts

Per policy 136.00, college employees who participate in selecting vendors, products and contractors or who participate in forming Business Agreements should avoid accepting significant gifts and individual discounts from outside individuals and entities that are existing or potential vendors and contractors for those Business Agreements when a reasonable person would infer that it is the donor's intent to influence an employee's official College duties. Employees who believe they may have accepted a gift giving rise to an actual Conflict of Interest or a Perceived or Potential Conflict of Interest, should notify their supervisor pursuant to this Policy.

e. Restraint on Participation

With respect to a particular transaction or item of business, if the supervisor deems an employee to have an actual Conflict of Interest or a significant Perceived or Potential Conflict of Interest, the employee shall not participate in the decision for which the employee has the Conflict of Interest. Decisions related to that transaction or item of business shall be made solely by disinterested employees. In determining whether an employee shall be required to refrain from participation, the supervisor should consider all relevant facts and circumstances, including whether the contract price is fixed by law or whether the transaction will be entered into solely and exclusively based on the competitive bidding process, in which case, an employee with a Perceived or Potential Conflict of Interest may still be allowed to participate in some parts of the process.

f. Violations

An employee found to be in violation of this Policy may be subject to discipline up to and including termination of employment.

IV. Effective Date

This procedure was created on: July 30, 2024 .

V. Signature and Title

Hally Harper

This procedure is implemented by: _____



Annual Conflict of Interest Disclosure Form

ACKNOWLEDGMENT AND DISCLOSURE

I have read Cowley College's Conflict of Interest Policy presented to me and agree to comply fully with its terms and conditions at all times during my service as a College employee or member of the Board of Trustees.

If at any time following the submission of this form, I become aware of any actual or potential conflicts of interest, or if the information provided below becomes inaccurate or incomplete, I will promptly notify the Cowley College Vice President of Finance and Administration or his/her designee in writing.

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

- I have no conflict of interest to report.
- I have the following potential or actual conflict of interest to report.

1.

2.

3.

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Employee or Board of Trustees Member Signature

Employee or Board Member Printed Name

Date