

Conflict of Interest	Policy/Procedure Number	8304
	Effective Date	August 2, 2011

1.0 POLICY & PURPOSE

In accordance with federal and state regulations, Laramie County Community College has a responsibility to manage, reduce, or eliminate any actual or potential conflicts of interest that may occur with any employee. It is LCCC's policy that all employees avoid any conflict between their personal financial interests and those of LCCC. The purpose of this policy/procedure is to ensure that LCCC's honesty and integrity, and reputation are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal financial interests or relationships that actually or potentially conflict with the best interests of LCCC. This policy/procedure is intended to enhance the ability of LCCC employees to act ethically in accordance with the values of excellence, integrity, accountability in conduct, the law, and to fulfill the obligation to be good stewards of the resources that have been entrusted to employees. It is the responsibility of all LCCC employees to conduct fiscal business without even the appearance of impropriety. This policy/procedure is not intended to narrowly define a conflict of interest to only those situations that are defined below but to provide a broad framework for the identification and reporting requirements of potential conflicts of interest.

2.0 REVISION HISTORY

Adopted on: 12/12/10

Revised on: 8/2/11

3.0 PERSONS AFFECTED

This policy/procedure applies to all full-time, part-time, adjunct employees, and officials of LCCC in the performance of their duties as agents and/or representatives for the College.

4.0 DEFINITIONS

- A. *Agent* – A person who is empowered legally by signatory powers to act on behalf of the College.
- B. *Conflict of Interest* – A conflict of interest exists when an employee owes a professional obligation to LCCC that is compromised or might be compromised by the pursuit of outside financial interests. Outside interests, such as personal financial interests or the acceptance of gifts from third parties, can create conflicts between the interests of LCCC and the private interests of an employee and may prevent the employee from making decisions that are in the best interest of the College. This may also be defined as a situation in which an employee has a private or personal interest sufficient to appear to influence the objective exercise or undermine the impartiality of his or her official duties as a College employee.
- C. *Relative* – Any person who is related to you by blood or marriage, or with whom you are cohabitating.
- D. *Financial Interest* – This means an interest held by an individual that is: an ownership or relative interest in a business; a creditor interest in a insolvent business; prospective employment for which negotiations have begun; an ownership interest in real or personal property; a loan or any other debtor interest; and a director, trustee, or officer position in a business.

- E. *Gifts, Hospitality, and Other Benefits*
- 1) College employees may accept nominal incidental gifts, hospitality or other benefits associated with their official duties and responsibilities if they are considered a common expression of courtesy or within the normal standards of hospitality and do not cause suspicion about the objectivity and impartiality of the College employee and would not compromise the integrity of the College. Ordinarily, a gift valued at \$100 or less shall be considered a gift of nominal value.
 - 2) College employees must refuse gifts, hospitality, or other benefits that could influence their judgment and performance of official duties.
 - 3) When they cannot refuse unauthorized gifts, hospitality, or other benefits, College employees must immediately report the matter to the appropriate official. The official may require that such a gift be held by the College, given to the Foundation, or other appropriate action be taken.
- F. *Government Employee Ethics* – Ethical standards as defined in accordance with State of Wyoming Ethics and Disclosure Act, specifically WYO. STAT. ANN. § 9-13-101 through 109.
- G. *Outside Interest* – Any for profit individual or entity or a representative of same that develops, produces, markets, sells, or distributes products, materials, goods, equipment, and/or services.
- H. *Representative* – A person that represents the College as a substitute or delegate in matters of decisions, opinions, interpretations, advice, consultation, and observations.
- I. *Textbook* – A printed and bound book used as a standard source of information for the formal study of any particular subject.
- 1) *Textbook Choice* – Textbooks and other instructional materials should be chosen for their academic and pedagogical value. It is the responsibility of all instructors to choose the most appropriate textbooks. Textbooks are to be published by an established publishing house. If a faculty member uses a textbook that they have authored, it is best they receive approval from their division dean. Faculty are forbidden to receive publisher financial incentives to adopt a textbook.
 - 2) *Textbook Royalties* – Faculty who author textbooks or educational materials used in his or her LCCC courses may receive the respective royalties up to \$1,000 per academic year from these texts. Royalties from sales outside LCCC are unrestricted. Royalties are subject to applicable individual Internal Revenue Service regulations.
 - 3) *Textbook Authorship* – College faculty and staff may author textbooks and course materials for general publication and sales as well as for use in their courses. Authorship is encouraged and entirely appropriate.
 - 4) *Textbook Gifts* – All unsolicited textbooks (recorded media, software, or similar work-related items) for which the college is NOT being charged may be accepted as gifts or examination copies regardless of value.
 - 5) *Textbook Disposal* – Faculty and staff are encouraged to dispose of complimentary textbooks as gifts to the College library, given to students, or they may sell unsolicited gift books. Faculty solicited textbooks should be used for their intended purpose and not be resold. Preferably these books should be returned to the publisher, appropriately gifted, or recycled.
 - 6) *Textbook Reviewing/Editing Income* – Faculty may review and edit textbooks for a fee as long as the fee is not contingent upon the adoption of a specific textbook.

5.0 PROCEDURE

A. Purpose

To define procedures regarding financial conflict by employees of LCCC in relationship to activities involving the educational mission and subsequently obtained equipment, materials and/or services. The purpose is to protect the credibility and integrity of all College employees so that public trust and confidence in College sponsored activities is ensured, and to specify a mechanism to ensure compliance with this procedure. It is not possible to give an exhaustive list of situations that might involve violations of this procedure. However, the situations that would constitute a conflict in most cases include but are not limited to the instances listed in "General Guidelines."

B. General Guidelines

- 1) Individuals are to avoid all circumstances that are or may appear to be a conflict of interest or engage with business or persons whereby either party or a relative obtains a benefit that directly or indirectly impacts the College from conducting business at the highest ethical level. All employee decisions are to be made on the basis of a desire to advance the best interests of the College.
- 2) No employee shall request or accept any compensation, gift, payment, or loan to himself/herself or a relative that could be perceived by a disaffected third-party as attempting to influence the decision-making process.
- 3) An employee may not purchase or influence the purchase of goods or services if the employee or his/her relative would receive financial gain without disclosing such interest via written instrument to the Vice President of Administration and Finance.
- 4) The College shall not purchase goods or services from College personnel or from business firms in which College personnel serve as officers or directors or hold a substantial financial interest.
- 5) All employees shall disclose to the Vice President of Administration and Finance via written instrument any profit-sharing, stocks, or other equity that they have with third parties that do business with LCCC valued at more than \$10,000.
- 6) An employee may not approve any expenditure for which he/she does not have budgetary oversight.
- 7) Employees shall disclose in writing any position, appointment, or offer they receive from an individual or entity that provides direct products and/or services to the College.
- 8) Employees shall disclose in writing any business opportunities or extensive interaction said employee may maintain with an individual or entity that provides direct products and/or services to the College.
- 9) It is a conflict of interest to hold an interest in or accept free or discounted goods from any organization that does, or is seeking to do, business with LCCC, by any employee who is in a position to directly or indirectly influence either LCCC's decision to do business or the terms upon which business would be done with such organization.
- 10) It is a conflict of interest to profit personally through commissions, loans, expense reimbursements, or other payments from any organization seeking to do business with LCCC.
- 11) A conflict of interest would also exist when an employee's relative is involved in situations such as those above.

C. Compliance


- 1) Employees shall report annually, or at the time a potential conflict arises, the existence of any potential or real conflict of interest between their financial interest and their employment with the College. Disclosure shall include the type of potential conflict, the nature of the activity, a description of all parties involved, the potential financial interests and rewards, and any other

information that the employee deems necessary. Said reporting shall be done via written instrument to the Vice President of Administration and Finance.

- 2) It is the responsibility of the College, not the discloser, to determine if the disclosure could directly and significantly affect the performance of College responsibilities and to require the management a reduction or elimination of the conflict.
- 3) The Office of the Vice President of Administration and Finance shall review all financial disclosures, and shall determine whether a conflict of interest exists, and if so, determine what actions should be taken by LCCC to manage, reduce, or eliminate such conflict of interest.
- 4) It is imperative that employee disclose to the Vice President of Administration and Finance as soon as possible the existence of any actual or potential conflict of interest so that a determination can be made as to whether safeguards can be established to protect all parties.
- 5) If an employee or a relative receives any payment, gift, or other consideration as a result of any transaction or business dealing involving LCCC, the employee has violated this policy/procedure and may be disciplined up to and including termination in accordance with Rules of Practice and Procedures for Discipline for Employees.

D. Reporting

- 1) College employees shall provide written disclosure of conflict of interest.
- 2) The Vice President of Administration and Finance or his/her designee shall thoroughly investigate any reported violations of this policy/procedure.

REQUIRED	NAME/SIGNATURE	DATE
Initiator (Name)	Jerry L. Harris, Contracting/Procurement Director Miles LaRowe, Interim President	12/12/10 6/14/11
Approval by President's Cabinet		8/2/11
Approval by President (Signature)		8/2/11