

SECTION: PERSONNEL

SUBJECT: CONFLICT OF INTEREST/ETHICAL CONDUCT

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**Background:** This policy provides guidelines for employees' conduct in areas where there are actual or potential ethical concerns between their public duties and their private interests. The State Board of Education policy on Conflict of Interest and Ethical Conduct can be located at <http://www.boardofed.idaho.gov/policies/ii/index.asp> item Q.

**Point of Contact:** Administrative Services

**Other LCSC offices directly involved with implementation of this policy, or significantly affected by the policy:** President and Provost Offices

**Date of approval by LCSC authority:** 3/2009

**Date of State Board Approval:** N/A

**Date of Most Recent Review:** October 2002

**Summary of Major Changes incorporated in this revision to the policy:** No changes were made.

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**Policy:**

**A. General Purpose**

Employees of Lewis-Clark State College are expected to conduct themselves in such a way as to strengthen the faith and confidence of the people of Idaho in the integrity of state government and state employees. It shall be a paramount concern of LCSC employees that they engage in no conduct which might reasonably be interpreted as tending to influence or adversely affect the performance of their official duties. This policy provides guidelines for employees' conduct in areas where there are actual or potential ethical concerns between their public duties and their private interests. Unless the context indicates otherwise, "state employee(s)" shall have the broadest meaning possible within the Executive Department of Idaho State government consistent with Idaho law, and "person" shall include an association, corporation or governmental entity.

**1. General Principles of Ethical Conduct**

All employees of Lewis-Clark State College:

- a. Shall not hold financial interest that is in conflict with the conscientious performance of their official duties and responsibilities.
- b. Shall not engage in any financial transaction in order to further any private interest using nonpublic information of the State Board of Education or Lewis-Clark State

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College.

- c. Shall put forth honest effort in the performance of their duties.
- d. Shall make no unauthorized commitments or promises of any kind purporting to bind Lewis-Clark State College.
- e. Shall not use their public office for private gain.
- f. Shall act impartially and not give preferential treatment to any private or public organization or individual.
- g. Shall protect and conserve public property and shall not use it for other than authorized activities.
- h. Shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official duties and responsibilities.
- i. Shall promptly disclose to the President waste, fraud, abuse, or corruption in accordance with applicable law and policy.
- j. Shall endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of Lewis-Clark State College.
- k. Shall disclose potential conflicts of interest to the President and avoid conflicts of interest, potential conflicts of interest and circumstances giving rise to the appearance of a conflict of interest.

2. Conflict of Interest

A conflict of interest occurs when a person's private interests compete with his or her professional obligation to the College to a degree that an independent observer might reasonably question whether the person's professional actions or decisions are materially affected by personal considerations, including, but not limited to, personal gain, financial or otherwise.

3. Consideration of Transactions

- a. In the event that a person subject to this policy is called upon to consider a transaction involving Lewis-Clark State College and a person, entity, party, or organization with which the person is affiliated, as defined below, that person shall 1) immediately disclose fully to the President the precise nature of his or her interest or involvement in the transaction and/or the organization, and 2) refrain from participating in the college's consideration of the transaction.
- b. Each person subject to this policy shall disclose to the President all relationships and business affiliations that reasonably could give rise to a conflict of interest because of the employee's duties and responsibilities. This disclosure obligation is ongoing and each employee has a duty to supplement or amend his or her disclosure as necessary.
- c. For the purposes of this policy, an employee is "affiliated" with an organization if the person, a member of the person's immediate family (i.e., spouse, parents, children, siblings, or the same relationship by marriage), or a person residing in the employee's residence or a legal dependent of the employee : 1) is an officer, director, trustee,

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partner, employee, or agent of the organization, 2) is either the actual owner or beneficial owner of more than one percent (1%) of the controlling interest in the organization, 3) has any other direct or indirect dealings with the organization from which the employee is materially benefited. It shall be presumed that an employee is “materially benefited” if he or she receives, either directly or indirectly, money, services, or other property in excess of one thousand dollars (\$1,000) in any calendar year.

- d. All disclosures must be in writing and addressed to the President.

## **B. Outside Employment**

The maintenance of a high standard of honesty, impartiality, and conduct by LCSC employees is essential to ensure the proper performance of the College and to strengthen the faith and confidence of the people of the State of Idaho in the integrity of our faculty and staff. The College recognizes that employees may engage in outside employment of a professional nature, directly related to the professional or other competencies of the employee. However, no employee may undertake outside employment that interferes with the employee’s assigned duties to the College. In all outside employment, the outside employer must be informed that the employee is acting in a private capacity and that the College is not liable or responsible for the employee’s performance.

## **C. Political Activities**

1.0 Employees retain unimpaired all of their individual and political rights of citizenship. However, employees may not exercise those political rights in the name of Lewis-Clark State College, or through the use of College facilities, or through the use of forms or other official stationery of any kind, or in any way that might involve LCSC in partisan political activity or controversy.

- a. LCSC will not prevent, threaten, harass, or discriminate against any employee should that employee choose to run for public office.
- b. Employees are permitted to campaign freely in a manner that does not violate Board Governing Policies and Procedures or applicable provisions of the Idaho Code.
- c. Employees may choose to request a leave without compensation in order to campaign for elective office or to serve in an elective office.

## **D. Loyalty Oaths**

No loyalty oath shall be required of any Lewis-Clark State College employee.