

Conflict of Interest Policy

Preamble

The University of San Francisco is committed to pursuing "a common good that transcends the interests of particular individuals or groups" and to distinguish itself as "a diverse, socially responsible learning community". Among its core values is the belief that "no individual or group may rightfully prosper at the expense of the other". The Conflict of Interest Policy primarily intends to guide members of the University community to carry out their employment responsibilities in a manner that reflects and reinforces the values of USF. It further aims to ensure compliance with federal and state law and contractual obligations.

Policy

All University employees are obligated to conduct the affairs of the University in a manner that promotes the University's mission, vision, and values. A conflict of interest may exist on two levels: (1) when an employee has financial, personal, or other considerations that may affect or appear to affect his or her professional judgment in decision making on behalf of the University or, (2) when the University itself has financial or other considerations that may affect or appear to affect its decision making as it relates to the University's values, mission and/or business practices.

In general, the University expects all employees to:

- i. Be aware of the potential for real or apparent conflicts of interest in all their employment activities.
- ii. Abide by the standards set forth in the policy (including any additional procedures adopted by individual colleges or departments in furtherance of this policy).
- iii. Fully disclose professional and relevant personal activities and relationships that create a real or apparent conflict of interest.
- iv. Address conflicts of interest that arise.
- v. Conduct University business with appropriate transparency.

Individual Conflicts of Interest

Each employee must:

1. Refrain from using University resources to further employee's interests (or the interests of his or her immediate family) or the interests of any individual or group above the best interests of the University. For purpose of this policy, immediate family includes spouse, partner, parents, children, siblings, in-laws.
2. Disclose any significant ownership, board service, consulting relationship, management or financial interest in any entity doing business, or proposing to do business with the University.
3. Refrain from participating in transactions with the University (other than one's employment), which could result in personal profit except upon the written approval of the appropriate Dean or Vice President and the General Counsel.

4. Refrain from accepting (without disclosing to the appropriate Dean or Vice President and the General Counsel) any gift compensation, or benefit with a value of more than \$250 from any person or organization who aims to influence the employee's professional judgment. This includes any person or organization with whom the employee may transact business on behalf of the University. Items valuing \$250 or less are not included within this policy unless in the aggregate the total value exceeds \$250 per year, in which they must be reported to the appropriate Dean or Vice President and General Counsel.

5. Refrain from making payments or providing gifts or services in the name of, or on behalf of the University or with University funds, services or facilities to anyone affiliated with a government or accrediting agency who is in a position to influence an action or decision related to the University.

6. Refrain from making or soliciting partisan contributions in the name of, or on behalf of the University or with University funds, services or facilities in any manner to, or in aid of, any political party, group, candidate or cause, so as not to jeopardize the University's tax exempt status which prohibits it from endorsing any political party group, or cause.

Institutional Conflicts of Interest

An institutional conflict of interest may exist if the University has commercial arrangements that provide collateral benefits to the institution, such as when a vendor offers a gift to the University or if the University shares in the revenue generated by sale of the vendor's product to students or employees. To ensure that the University's best interests are served, these situations should be carefully reviewed by senior leadership. The appropriate Vice President will consider the following questions:

i. Does the transaction entail a conflict between the USF's values, mission, and/or financial interests?

ii. Does the transaction entail receipt by the University of financial benefit that may affect or appear to affect the quality or price of goods or services offered to students or other constituents?

iii. Does the transaction entail the actuality or appearance that the University is profiting to the detriment of students or other constituents?

iv. Would disclosure of the collateral benefit alleviate any actual or apparent conflict of interest?

If the answer to any of the above questions is yes, the President's Cabinet must resolve the matter.

Disclosures:

A conflict or a potential conflict of interest can arise at any time. Employees must disclose such situations to their supervisors before occurrence, if possible, and in any event as quickly as possible after it arises. The employee must complete section 1 of the Conflict of Interest Disclosure Statement and give it to his/her supervisor. If an employee is in doubt about a situation, he or she should fully disclose the situation. There is no harm in over-disclosing; by contrast, failures to disclose may subject the employee to disciplinary action.

The supervisor to whom an employee discloses a possible conflict of interest must complete section 2 of the Conflict of Interest Disclosure Statement and send it to Human Resources for resolution.

Human Resources will evaluate the situation and report its results on section 3 of the Conflict of Interest Disclosure Statement. If it finds no conflict of interest, Human Resources will send the Conflict of Interest

Disclosure Statement to the supervisor, and the supervising Dean or Vice President, and General Counsel. The supervisor will communicate it to the employee.

If Human Resources finds a potential conflict of interest, this finding is indicated on section 3 of the Conflict of Interest Disclosure Statement and sent to the Dean or Vice President, and General Counsel for joint resolution. Human Resources will then notify the supervisor who will communicate this to the employee. The Dean or Vice President and General Counsel will advise Human Resources of the resolution. Human Resources will then notify the supervisor who will communicate this to the employee.

The office of Human Resources is responsible for notifying all employees of the requirements of this policy annually. Questions about this policy should be directed to the Assistant Vice President of Human Resources.

The Office of General Counsel is responsible for enforcement of this policy. The General Counsel will review all violations of this policy, including (a) failure to comply with the disclosure process (by refusal to respond or by deliberately responding with incomplete, inaccurate, or misleading information, or otherwise); (b) failure to resolve conflicts of interest; and (c) failure to comply with the terms of any resolution reached pursuant to this policy. The General Counsel will consult with the Vice President, and the Assistant Vice President for Human Resources regarding appropriate action. Violation of this policy will result in disciplinary action up to and including termination of employment.

Any exception to this policy must be approved in writing by the, appropriate Vice President and the General Counsel. The Conflict of Interest Disclosure Form is attached.

**CONFLICT OF INTEREST
DISCLOSURE STATEMENT**

NAME: _____ **TITLE:** _____
(Name of Employee)

NAME: _____ **TITLE:** _____
(Name of Supervisor)

Employee Statement of Situation:

I have read the University's Conflict of Interest Policy and I wish to disclose the following situation which may constitute a conflict of interest or the appearance of a conflict of interest (state all relevant information):

(use additional pages if necessary)

I have attached any materials related to this situation that I think will assist in the evaluation of whether it is a conflict of interest.

Signature: _____ **Date:** _____
(Employee)

Additional Remarks from Supervisor:

(use additional pages if necessary)

I have attached any materials related to this situation that I think will assist in the evaluation of whether it is a conflict of interest.

Signature: _____ **Date:** _____
(Supervisor)

Result of Human Resources Evaluation:

No Conflict of Interest

Potential Conflict of Interest

(use additional pages if necessary)

Human Resources Signature: _____ **Date:** _____

Result of Joint Dean or Vice President & General Counsel Evaluation:

No Conflict of Interest

Conflict of Interest

Resolution:

(use additional pages if necessary)

Dean or Vice President Signature: _____ **Date:** _____

General Counsel Signature: _____ **Date:** _____