



KENTUCKY STATE UNIVERSITY POLICIES AND PROCEDURES

POLICY TITLE:

Conflict of Commitment and Interest Policy

VOLUME, SECTION & NUMBER:

ENTITIES AFFECTED:

**Faculty
Staff**

ADMINISTRATIVE AUTHORITY:

Office of Human Resources

APPROVED BY:

Office of the President

EFFECTIVE DATE:

July 8, 2024

REVISED FROM:

2013 Human Resources Policy Manual

POLICY STATEMENT:

In the process of accomplishing its missions, Kentucky State University (KSU) will inevitably develop close relationships with entities possessing outside interests, including financial interests. Therefore, the benefits that potentially accrue from these relationships are accompanied by real or apparent risks that external interests may compromise KSU decisions by influencing the judgment of the institution or one of its members. When the application or use of KSU time or resources results in an inappropriate personal advantage or is detrimental to KSU's mission, that use of time or resources represents a conflict between one's interests and those of KSU.

To guard against these external influences, KSU has put procedures in place to identify and address institutional conflicts of interest and commitment as defined herein. These procedures are not intended to discourage research, creative activity, or scholarship.

This policy establishes standards and requirements to protect the financial well-being, reputation, and legal obligations of KSU. Further, this policy establishes procedures to protect the KSU community from questionable circumstances that may arise and to resolve any real or apparent conflicts.

DEFINITIONS:

Conflict of Commitment

A conflict of commitment is a situation in which an individual engages in outside activities, either paid or unpaid, that interfere with the individual's primary professional obligations and commitments to KSU.

Conflict of Interest

A conflict of interest is a situation in which an individual's financial, professional, or other personal considerations may directly or indirectly affect, or have the appearance of affecting, the individual's professional judgment in exercising any KSU duty or responsibility.

Entity

An entity is any business, company, or other organization—including any partnership, corporation, limited liability corporation, or unincorporated association—whether for-profit or not-for-profit.

Institutional Responsibilities

Institutional responsibilities are responsibilities expected and performed on behalf of KSU for which a faculty or staff member is employed and compensated by KSU.

Outside Professional Activity

An outside professional activity is any paid or volunteer activity undertaken by a faculty or staff member of KSU outside of the scope of his or her employment at KSU. Outside professional activities may include consulting, participation in civic or charitable organizations, working as a technical or professional advisor or practitioner, or holding a part-time job with another employer—whether working in a role identical to one's KSU occupation or in any other role.

CONFLICT OF COMMITMENT:

Conflicts of commitment occur when the time or effort that an employee devotes to external activities interferes with the employee's fulfillment of assigned KSU responsibilities, or when the employee makes unauthorized use of KSU resources in the course of performing an external activity. Employees are expected to devote their primary professional loyalty, time, and energy to KSU's teaching, research, and service endeavors; activities outside KSU must be conducted without detracting from these primary commitments.

Attempts to balance KSU responsibilities with outside activities—such as consulting, government service, public service, or pro bono work—can result in conflicts concerning the allocation of time and energy.

Employees intending to engage in an external activity that requires contributing significant efforts on activities outside the scope of their KSU employment must complete a Conflict of Commitment and Interest Disclosure Form and receive written approval from the Vice President of their respective areas. Individuals may be required to take a leave of absence from KSU to proceed with the external activity, at the discretion of their supervisors.

CONFLICT OF INTEREST:

Conflicts of interest occur when a set of circumstances creates a risk that professional judgment or actions regarding a KSU interest will be unduly influenced by a secondary or personal interest.

KSU employees are obligated to avoid or disclose actual ethical, legal, financial, or other conflicts of interest involving KSU, and recuse themselves when decision-making related to KSU responsibilities could be influenced by a conflict of interest.

KSU will exercise oversight and care in eliminating or managing conflicts of interest that do or may arise because of an individual's personal interests in activities related to their institutional responsibilities. KSU will not accept or enter into agreements, contracts, gifts, or purchases that give rise to a conflict of interest unless the conflict can be eliminated or appropriately managed through administrative oversight to protect the interests of the individual and KSU.

The following activities are examples of situations that may raise questions regarding an apparent or real conflict of interest. The list of examples below is not exhaustive.

- Undue personal gain from KSU funds or resources;
- Excessive or unauthorized use of KSU time or resources for professional, charitable, or community activities;
- Exploitation of students for private gain;
- Compromise of KSU priorities due to personal financial considerations;
- Unfair access by an outside party to KSU programs, services, information, or technology;
- Selection of an entity as a KSU vendor by an individual who has a personal or economic interest in that entity (such as engaging a relative to serve as an independent contractor, subcontractor, or consultant on behalf of KSU); or
- Acceptance of a gift or favor from an entity (or representative of an entity) conducting (or seeking to conduct) business with KSU when a KSU employee is in a position to influence or inform decision-making relative to engaging the entity on behalf of KSU.

KSU strongly urges employees in positions of authority not to engage in amorous or sexual conduct with individuals (including students) they are likely to evaluate in the future. Moreover, KSU expressly prohibits amorous relationships between a supervisor and an employee or student who is the supervisor's subordinate. The power difference in such relationships may restrict the less powerful individual's ability to willingly participate. If an employee in a position of authority is in an apparently welcomed amorous or sexual relationship with someone whose performance they must evaluate, the person in the position of authority must report the relationship to his or her supervisor. This allows for suitable arrangements to be made, thereby ensuring an objective third party evaluates the other person in a relationship.

DISCLOSURE REQUIREMENTS:

Prior to hire and upon request, employees must provide information on the nature and extent of their outside professional activities and financial interests related to their institutional responsibilities. This disclosure is made using the Conflict of Commitment and Interest Disclosure Form. If an employee indicates on the Form that he or she is engaging in outside professional activities, he or she will need to seek the appropriate approvals noted on that Form.

RELATED POLICIES:

Nepotism Policy
