



## **PERSONNEL POLICIES — SECTION 300**

NUMBER: **307**

SUBJECT: CONFLICT OF INTEREST

LAST REVIEW DATE: 5/29/2020

EXECUTIVE STAFF APPROVAL: 6/8/2020

BOARD APPROVAL: 7/1/2004; 8/19/2020

*(PRINTED COPIES ARE FOR REFERENCE ONLY. PLEASE REFER TO THE ELECTRONIC COPY FOR THE LATEST VERSION.)*

### **307.1 PURPOSE**

The purpose of this policy is to provide Mountainland Technical College employees with policies and procedures relating to conflicts of interest and to facilitate compliance with the Utah Public Officers and Employees Ethic Act.

Please refer to Utah Code Title 67, Chapter 16. (Utah Public Officers' and Employees' Ethics Act)

The specific purpose of the Utah Public Officers and Employees Ethics Act is stated as follows:

The purpose of this chapter is to set forth standards of conduct for officers and employees of the state of Utah and its political subdivisions in areas where there are actual or potential conflicts of interest between their public duties and their private interests. In this manner the Legislature intends to promote the public interest and strengthen the faith and confidence of the people of Utah in the integrity of their government. It does not intend to deny any public officer or employee the opportunities available to all other citizens of the state to acquire private economic or other interests so long as this does not interfere with his full and faithful discharge of his public duties. (Sec. 67-16-2)

The College recognizes that the dividing lines between the College obligations and the private interests of a College administrator or employee are not clearly defined. Therefore, while this policy statement provides the general guidelines College personnel should use to determine their own conduct, the College must rely primarily on each officer or employee's sense of integrity and interest in the College and the approvals of his/her immediate superior to implement this policy and thus eliminate any conflicts of interest which might arise.

Employees are required to complete a Statement of Possible Conflict of Interest during the hiring process to disclose all reasonably foreseeable potential conflicts of interest. A new disclosure document is required if any prohibited conflicts arise during the course of employment.

### **307.2 POLICY**

#### **2.1 Prohibited Conflicts.**

Mountainland Technical College employees should not realize personal gain in any form which would improperly influence the conduct of their duties.

The following are prohibited conflicts of interest:

1. A College officer or employee is forbidden to participate in his/her official capacity with respect to any transaction between the College and a business entity in which the officer or employee has a substantial interest.
2. A College officer or employee is forbidden to receive compensation (in addition to regularly budgeted salary or wages for services to the College) as a result of, or in connection with, any transaction between the College and a business entity in which the officer or employee has a substantial interest.
3. A College officer or employee is forbidden to accept employment or engage in any business or professional activity which he/she might reasonably expect would require or induce him or her to disclose confidential information acquired by reason of the officer or employee's College position.
4. A College officer or employee is forbidden to disclose confidential information acquired by reason of his/her College position, or to use such information for his/her or another's gain or benefit.
5. A College officer or employee is forbidden to accept other employment which he/she might reasonably expect would impair his/her independence of judgment in the performance of College duties and responsibilities.
6. All personnel of the College holding full---time positions shall give full service to the work of the College during scheduled work periods. Any non---College employment must not interfere with the discharge of the person's full---time service obligation to the College.
7. A College officer or employee is forbidden to knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift or loan for him/herself or another if it tends to influence the discharge of his/her College duties or responsibilities, or if the officer or employee has recently been, now is, or in the near future may be involved in any College action or decision directly affecting the donor or lender.
8. A College officer or employee is forbidden to have personal investments in any business entity which will create a substantial conflict between his/her private interests and College duties.

## **2.2 Disclosure Requirements**

In order to protect College employees from being accused of engaging in business activities that might be considered a possible conflict of interest and to strengthen public confidence in the College, the following disclosures are required:

1. A College officer or employee who agrees to receive compensation for assisting any person or business entity in any transaction involving the College or any state agency is required to file a sworn disclosure statement, which is a matter of public record, in accordance with Utah Code.
2. A College officer or employee who holds a substantial interest, the value of which exceeds \$2,000 (exclusive of life insurance policies and annuities), in any business entity which is subject to state regulation may be required to file an annual disclosure statement with the secretary of state pursuant to Utah Code 67.16.
3. It is the duty of every College officer or employee to disclose to his/her immediate superior, and to the Vice President of Administrative Services, the existence of a substantial interest which he/she has in any business entity which the officer or employee knows, or has reason to believe,

may submit a bid or sealed proposal for, or otherwise seek to enter into, a transaction with the College.

An officer or employee of the College who knowingly and intentionally violates the provisions of the Utah Officers' and Employees' Ethics Act, or of this Policy and Procedure, may be subject to appropriate disciplinary action, including possible dismissal from College employment.